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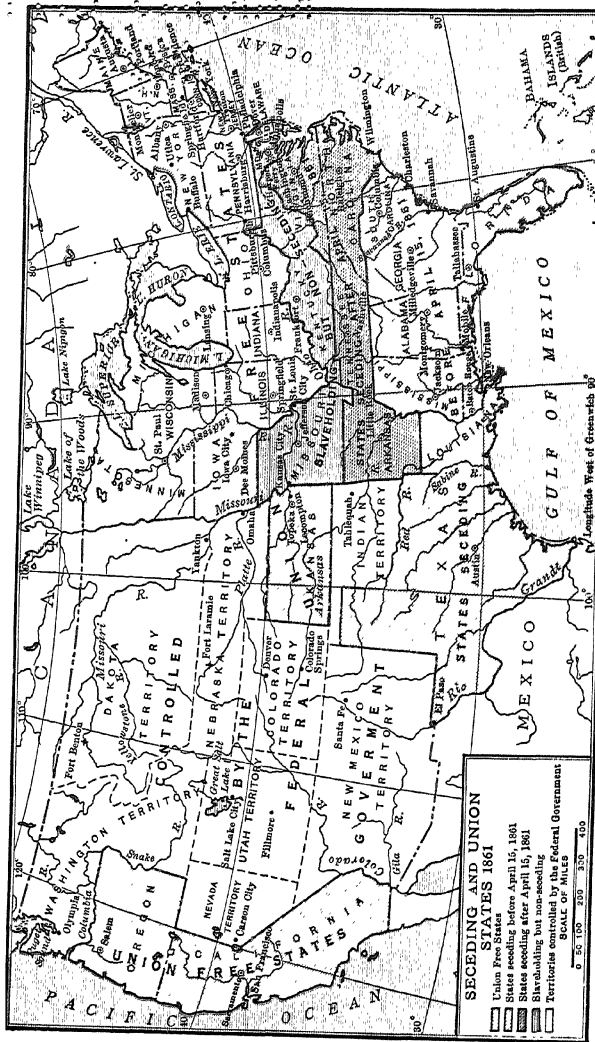
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A History  
*of the*  
South  
1607—1936

*by*

William B. Hesseltine

*Associate Professor of History  
University of Wisconsin*

NEW YORK  
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1936

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TO  
ARTHUR CHARLES COLE



## PREFACE

THE growing interest in Southern history and institutions and the growth of college and university courses in the history of the South have revealed the need for a single-volume synthesis of Southern development. Making no pretense to encyclopedic erudition, this volume is designed as a manual to meet the needs of students.

The writer's thanks are due to Miss Marie Rulkotter and Messrs. George Smith, Thomas B. Rowland, and T. Harry Williams, students in his seminar at the University of Wisconsin, and to Professor Carl Wittke, editor of the series, for reading the manuscript and making many valuable suggestions.

W. B. HESSELTINE

Madison, Wisconsin



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## CHAPTER I

### PLANTING THE SOUTHERN COLONIES

#### 1. SOUTHERN GEOGRAPHY

FOR three hundred years the southern part of the present United States has been predominantly agricultural. Climate, soil, and physical features have combined to make it the home of agriculture rather than of industry and commerce. Geography was the primary factor in producing the South's social and economic phenomena.

The South is divided into a number of geographical sections. Along the Atlantic Coast there is a low, oft-times marshy, pine-grown region, known as the 'Tidewater. This section extends to the interior for from 100 to 200 miles to the fall line of the rivers. Parts of Virginia and Maryland and larger portions of the Carolinas and Georgia are in the Tidewater. The seacoast of the Tidewater is broken by bays, and harbors are plentiful. The wide rivers which traverse the section flow slowly and are navigable up to the fall line. The soil, always thin, was rich when the first settlers came. In this region were planted the first settlements of the English Colonies.

The Gulf Coast stretches northward from the Gulf of Mexico and is similar in character to the Tidewater region. Most of Alabama, Mississippi, and Louisiana are in the Gulf Coast region, while Florida, a peninsula dividing the Gulf from the Atlantic, possesses the same

characteristics. The soil cannot compare with the richest soils of the Ohio Valley, but the rainfall and the temperature have especially adapted the region to the production of cotton.

West of the Tidewater region are the southern extensions of the Appalachian highlands. The eastern slope, which borders on the Tidewater, is known as the Piedmont Plateau. Higher than the Tidewater, its contour is more rolling, its numerous rivers and streams less navigable, and its soil much richer. The Piedmont was suited to become a land of diversified farming, where crops of wheat and corn might compete with the staple products which dominated the other sections.

Beyond the Piedmont are the Blue Ridge Mountains, whose peaks in North Carolina reach to 6,000 feet above sea level. Pine-covered and comparatively infertile, the Blue Ridge acted as a barrier to cut off the Great Valley from the eastern part of the Atlantic States. The Great Valley lay between the Blue Ridge and the Allegheny Mountains. The Valley was, in fact, a series of valleys, known as the Shenandoah Valley, the Valley of Virginia, and the Tennessee Valley. The soil of the valleys was the richest in the South, and their crops of wheat and corn, of cattle and hogs, made them the granaries of the cotton and tobacco areas. West of the valleys were the Allegheny and the Cumberland Mountains, similar to the Blue Ridge but rich in minerals which were scarcely developed before the close of the Civil War. West of the mountains stretched the Cumberland Plateau, a counterpart of the Piedmont, broken only by the fertile basins of the Tennessee and the Kentucky Blue Grass regions. The Valley of the Mississippi lay beyond the plateau, merging

with the Ohio Valley on the north and the Gulf Coast on the south.

Although the physical features of the South were diverse, many of the geographical characteristics were common. The soil was not of the best, but soil and climate together made possible the production of cotton, tobacco, rice, and sugar, the staple crops of the South. The annual rainfall was heavy, and the direct rays of the sun spared the whole region from the colder blasts of winter and gave Florida and the Gulf Coast a semi-tropical climate. The forests were of white and yellow pine, producing tar, turpentine, and even masts and spars for ships in the colonial period. The wild game was plentiful and furs and skins furnished a readily exploited natural resource in the first days of settlement.

## 2. VIRGINIA

Upon this geographical foundation were built the Southern colonies and States. The first white men to establish themselves in the South were Spaniards who, extending the area of their explorations northward from Mexico and Central America, discovered the Mississippi River, travelled across the area of the Gulf Coast, and established a fort at St. Augustine in Florida and minor posts in the Carolinas and Georgia. Following the Spanish came French who also explored and planted an ill-fated settlement in Florida. It was the English settlements in the South, however, that eventually developed a European type of civilization.

For a century after John Cabot landed on the shores of North America and claimed the land for Henry VII (in

1497), England gave little attention to the possibility of developing an overseas domain. Meanwhile the Spanish, passing rapidly from their earlier dream of an Oriental trade, had gathered the accumulated riches of the Incas and the Montezumas and had flooded the Iberian peninsula with gold and silver from the Americas. Eventually English cupidity, properly cloaked in political and religious zeal, turned to the almost holy task of plundering the precious caravels of the Spanish Main. Captain John Hawkins, patriot and Protestant, varied the usual procedure by flaunting the Spanish trade laws and carrying cargoes of Guinea Negroes to sell in the Spanish colonies of the West Indies and along the shores of Central America. Equally religious, equally unscrupulous, and even more patriotic was Sir Francis Drake, who plundered Spanish settlements as well as ships.

First interested in the possibilities of exploiting the New World by the adventures of these daring sea dogs, Englishmen soon turned their attention to less dangerous and more certain schemes of commercial development. Drake himself had envisioned the settlement of English colonies in America as rivals of the Spanish colonies, and the idea was popularized in England by the publication of Hakluyt's *Principall Navigations, Voyages, and Discoveries of the English Nation* (1589). In 1583, Sir Humphrey Gilbert made an unsuccessful effort to establish a colony on the coast of Newfoundland, and the next year Sir Walter Raleigh obtained letters patent from Queen Elizabeth to establish colonies in the land already named Virginia. Discouraged by hardships and failing to find treasure, Raleigh's first colony, which had settled on Roanoke Island, returned to England. In 1587 the undismayed Raleigh sent out another colony of 150 settlers to take up

the work at Roanoke. The next year, the Spanish Armada attempted an invasion of England and the attention of all Englishmen was diverted to repelling the invader. Roanoke was neglected until 1591, when another expedition, landing on the island, discovered that the settlers had disappeared without a trace. The single word "Croatan," the name of a neighboring tribe of Indians, carved into the bark of a tree was the only clue to their end. Generations of romantic antiquarians have bemused themselves in futile speculations on their mysterious fate.

Despite the failure of Raleigh's experiment, the dream of a colony in the New World was not long in reappearing among Englishmen. Conditions within the island kingdom contributed to colonial expansion. From the time of John Cabot to that of the Jamestown settlement, the basis of England's economic life slowly shifted from feudalism to commercialism. The War of the Roses, followed by the semi-parliamentary rule of the Tudors, definitely broke the political hold of the feudal nobleman. In his place as the controlling force of British politics the business man of the middle class rose to power. The break-up of the monasteries under Henry VIII, the plundering of the Spanish under Elizabeth, and the policy of aiding the commercial classes pursued by all of the Tudors resulted in the accumulation of more fluid wealth. In Parliament, representatives of the merchant classes legislated for the benefit of commerce. In the towns an increase of hand-made goods supplied a surplus for an overseas market and inspired the merchants to carry British goods to the corners of the earth. In the country the shift from the self-sufficient manor of medieval feudalism to the enclosure of great tracts of land for wool production marked an agricultural and social revolution. Capitalistic landlords sup-

planted the lords of the manor, and bleating sheep fed upon the land which once had been tilled by sturdy yeomen and serfs. Victims of the transition from feudal establishment to commercial chaos, these erstwhile tillers of the soil crowded into the cities, where they sank into a poverty cursed by vice and disease. The merchants, who were looking for new economic worlds to conquer, did not overlook this potential labor supply for their colonies. The promoters of American colonies were men of wealth who expected commercial monopolies and feudal estates to increase their wealth. They transferred to the New World their own aristocratic concepts and continued in America the class distinctions and consequent social strife of old England.

Fluid capital, brought into service by the new device of the joint-stock company, enabled the British merchants to expand. Building upon the foundation of the Merchant Adventurers, who had co-operated in trading expeditions, there arose a number of joint-stock companies. The Muscovy Company, the Prussian Company, and the East India Company were the more prominent examples of trading companies which combined the advantages of limited liabilities and great profits. To encourage them, the government granted extensive monopolies, trading privileges, and the power of local government over the non-Christian areas in which they traded.

### 3. VIRGINIA UNDER THE LONDON COMPANY

Such a company was the London Company, licensed by James I in 1606, "to make Habitation, Plantation, and to deduce a colony of sundry of our People into that Part



of *America*, commonly called VIRGINIA . . . .". To the knights, gentlemen, merchants "and other Adventurers" of the company was given the right to establish a plantation between the 34th and 41st parallels of north latitude, together with "all the Lands, Woods, Soil, Grounds, Havens, Ports, Rivers, Mines, Minerals, Marshes, Waters, Fishings, Commodities, and Hereditaments . . . directly into the main land by the space of one hundred like English miles." Rights of government, however, were reserved by the Crown, which set up a Council for Virginia in England with power to appoint local councils in the Virginia colony. To the local council was given almost complete control over the settlers, limited solely by the provision that laws might not endanger life or limb or be contrary to the laws of England.

Although the founders of the London Company never formulated their full intentions, and although they talked much of building outposts of England to combat the Spaniards or to convert the Indians, neither the company nor the settlers of Jamestown contemplated a colony in the modern sense. Instead, all had in mind a trading post which would be partly self-sufficient but which would trade for the benefit of the company. Certainly the settlers themselves could have had little intention of making permanent homes in the Virginia wilderness. In the popular literature of the day, Virginia was a land "where gold and silver is more plentiful than copper is with us," where the sands of the shores were precious jewels and the mountains were of bright stones. Jealously his Royal Majesty, James I, reserved to himself his feudal right of claiming one-fifth of the precious metals which might be discovered. Virginia was a place where wealth could be

easily acquired. With the legends of the Spanish *conquistadores* in mind, the settlers at Jamestown did not expect to linger long at the fountainhead of their riches.

The company's instructions to the governors of the Jamestown plantation show that the company itself had little else in mind. The three ships which left England in December, 1606, bore 120 colonists with instructions to establish a single fortified post near the coast to be used as a base for expeditions to trade with the natives, to search for gold, and to find a northwest passage to the Pacific Ocean. In the meantime, the colonists were expected to cultivate the soil and provide themselves with a livelihood. The absence of women in the first settlement indicates that the "colony" was no more than a trading post.

From the very beginning, the emigrants to Virginia suffered from hardships. The long and dangerous ocean voyage took the lives of 16 of the original company, and but 104 men and boys landed in Virginia. Among the arrivals, one-third bore the technical denomination "gentlemen," while the others were artisans and laborers. Of the leading men, no one had had experience with the management of far-off enterprises of a similar nature. However physically fit they may have been, ignorance and inexperience, of both men and management, rendered the settlers unprepared for an adventure in pioneering. Long before the three ships of the London Company landed their passengers in the New World, violent factional quarrels had broken out between Captain John Smith and Edward Maria Wingfield. In addition, the menace of the Indians prevented the settlers from the beginning from hunting in the forest and fishing in the streams.

Four months after leaving England, on April 26, 1607,

the three ships under the command of Captain Christopher Newport arrived in Virginia. Only when they effected a landing was the management of the colony made known to the migrants. Newport bore sealed instructions from the Council in England which, when opened, revealed that seven of the colonists were designated the Council in Virginia. Responsible to the Council in England for the government of the colony and to the London Company for the expected profits, the Council faced a difficult task which was rendered no easier by the factional dissensions among them. Wingfield was made president of the Council by a vote of the councillors, and John Smith, released from irons, was given a seat among the governors of the plantation.

The land which lay before the settlers charmed them with its beauty. It was the spring of the year, and the flower-strewn forest was alive with color. Berries glistened invitingly from the bushes, and the streams ran crystal clear. "Heaven and earth," exclaimed Captain John Smith, "never agreed better to frame a place for man's habitation."

Deluded by the natural beauty of their surroundings, the Council ignored the sound advice given by the London Company. The company instructed the colonists to select some point upon a navigable river, not densely wooded, and on a high point, free from marshes and swamps. Instead, the Council settled upon a peninsula thirty miles up the James River, in a densely wooded section near a mosquito-infested swamp.

Here at Jamestown they landed on May 14 and immediately proceeded to work. Some were set to building a triangular, stockaded fort, others to building houses and planting gardens and others to cutting clapboards in

order that Newport might carry a merchantable commodity back to England. Newport himself set out on an exploring expedition up the James River. During his absence the neighboring Indians, members of a confederacy of 34 tribes under the rule of Wahunsonacock, the Powhatan, attacked the post. Moreover, dissensions continued among the leading men of the colony, and when Newport sailed for England in June with his cargo of sassafras and clapboards, the colonists were on the verge of mutiny against Wingfield.

Added to dissension and the Indians, disease came to destroy the colonists. August brought malaria and famine to the little settlement, and death reaped a harvest. "There were never Englishmen left in a foreign country in such miserie as we were in this new discovered Virginia," bemoaned one of the sufferers. "If there were conscience in men it would make their hearts bleed to hear the pitiful murmurings and outcries of our sick men without reliefe, every night and daye for the space of sixe weekes: in the morning their bodies being trailed out of their cabines like Dogges, to be buried." After eight months of such existence, but 38 of the original 104 settlers were alive. In September, Wingfield was deposed, and throughout the following winter plots and conspiracies marked the turbulent rule of the Council. Captain Smith became Treasurer of the colony—a position which demanded that he furnish supplies to the settlers. Expeditions among the Indians resulted in a temporary peace settlement and some supplies of corn. But starvation and malaria swept away one after another of the settlers. In January, 1608, Newport returned with the "first supply" from England bringing 70 more colonists to eat the scarce food and die from the unaccustomed malaria.

Newport's conduct made it apparent that there was still no idea of establishing a colony in Virginia. During his stay, the labors of the men were diverted from raising food and providing shelter to another effort to collect a cargo for the English market. In the meantime Jamestown burned, and the labor spent in rebuilding it could ill be spared from the growing of foods. Soon after Newport left, another ship came from the company with 40 more mouths to feed upon the scanty supply, and in September Newport was back with a "second supply" and 70 passengers, who raised the total population of the death-ridden post to 120. The inadequate conception of the problem confronting them was evident in the new instructions which Newport carried. He was to find a gold mine, search for survivors of Raleigh's "lost colony," and locate the northwest passage to the South Sea! Months were diverted from useful employment on these futile undertakings.

That the colony of Virginia did not completely collapse was due in no small measure to the energy and ability of Captain John Smith. A soldier of fortune who had fought against the Turks, been enslaved by them, and escaped in a series of thrilling exploits which lost nothing in his recitation of them, Smith was the best fitted man in the Virginia plantation to cope with the exigencies of pioneering. Thanks to his efforts, the Indians made peace and traded maize to the starving colony. Once, according to his own unsupported account, he was saved from violent death by the intercession of Pocahontas, daughter of the Powhatan. Whatever the facts of this story may be, there is no doubt that Smith, more than any other man in Virginia, grasped the problem of the settlement. When Newport returned after the "second supply" in December, 1608, he bore with

him a report of Smith, new president of the Council, to the company. In addition, Newport carried a cargo of pitch, tar, and iron ore for the company's coffers. "It were better," Smith told the London Company, "to give £500 a ton for pitch, tar, and the like in the settled countries of Russia, Sweden, and Denmark than send for them hither till more necessary things be provided . . . for, in over-taxing our weak and unskillful bodies to satisfy this desire of present profit, we can scarcely recover ourselves from one supply to another."

Smith's letter was not needed to convince the company that all was not well with Virginia. Various explanations were offered in England, the most common being that Jamestown had been settled by "idle spendthrifts" who could not be expected to work. But more generally it was thought that the government of the colony needed to be remedied. Were it brought more closely under the control of the company, difficulties might be overcome. Accordingly the company launched a campaign to obtain both a new charter and new subscriptions to its depleted capital stock. It published pamphlets setting forth its prospects in none too realistic colors, enlisted the forensic abilities of leading clergymen, and got under way a campaign which would do credit to a modern promotion office. May 23, 1609, the King yielded to pressure and issued a new charter to the "Treasurer and Company of Adventurers and Planters of the City of London for the first colony in Virginia."

By the new charter, the company was given control over 200 miles of seacoast on either side of Old Point Comfort with the interior country "up into the land, throughout from sea to sea, west and northwest." By the charter, too, the government of the company was transferred, albeit

gradually, into the hands of the company itself. A treasurer and a council were to preside over the company's destinies, and to "correct, punish, pardon, govern, and rule" the settlers in Virginia. By a modification of the charter in 1612, the stockholders, meeting in quarterly "courts," were given complete control over the company.

During the first years of the Virginia experiment the company had slowly perceived that neither as a trading post, nor as an exploring base, nor as a mining camp would Virginia be a success. Under the new charter, the company planned to combine the ideas of a plantation and a colony. Shares of stock were sold for £12 10s., and clerks, knights, and nobles of London became members of the company. Emigrants to Virginia were accounted stockholders—"adventurers of the person" as distinct from the "adventurers of the purse." These migrants were to labor for the company on its plantation for seven years, at the end of which time the "planters" were to become free and were to receive a dividend of 100 acres of land. Thus, the Jamestown plantation would become a colony, and the company would derive its profits both from its own "particular plantations," which it would continue to work with its servants, and from trade with the "planters." An annual quitrent of two shillings per 100 acres would further swell the coffers of the confident London adventurers.

Still as a plantation—since the colony was postponed for seven years—the company went to work on the labor problem. New money gave fresh impetus to the task, and by June, 1609, nine ships with 500 emigrants were ready to sail. Included in the number—and complete evidence of the change of intentions—were 100 women and children. The number of emigrants, however, was more impressive than their character. Not only did they share the

Englishman's general ineptitude for the new conditions, but they were personally less desirable than the earlier settlers. "Unruly gallants" they were, said Smith, who were sent to Virginia to escape a worse fate at home.

With this "third supply" the company had sent Lord Delaware to act as governor of the colony. But Delaware delegated his authority to Sir Thomas Gates, who was shipwrecked on the Bermudas and was months in arriving at his destination. In the interval there was no strong man in the colony, for Smith, injured by an explosion and weary of the constant bickerings of the councillors, had returned to England. His contribution had been made to the colony. He had kept the settlement in existence and had pointed out to the company the possibility of developing an agricultural colony from a trading post. In a sense he was the father of the plantation system with its disciplined and regimented labor, its self-sufficiency, and its attention to the production of a marketable surplus. Back in England he added the work of historian to his other exploits and in writing his *True Relation* and a later and larger *General History of Virginia* earned for himself clear title to the claim of being the father of American history.

The colonists fared badly without Smith's guiding hand. The Indians, kept under control by the shrewd captain, now became hostile and murdered wandering Englishmen or slaughtered and drove off their cattle and hogs. As the savages refused to trade, the colonists, who were too many to be supported by the scanty supply in the company's storehouses, faced starvation. The ensuing winter is known in Virginia annals as the "Starving Time," during which men ate their chickens, their dogs, and even snakes and rats. As the pangs of hunger drove them into



the outstretched arms of death, one man cast his Bible into the flames, exclaiming in anguish, "There is no God!"

Meanwhile Gates, with the better element of the 1609 caravel, had gone aground on the abandoned coast of the Bermudas. Here wild fruits hung from the trees, and wild hogs ranged the islands. After a winter spent among scenes which contrasted strangely with those being enacted in Virginia, Gates set forth for Virginia in two newly built boats, loaded with pork.

In May, 1610, Gates arrived to find a miserable handful of people still alive. Sixty decimated wretches staggered to the shore to fall greedily upon the provisions he had brought. Jamestown had fallen in ruins, the gates were off the hinges, the church was in ashes. The food in the storehouses would last but 16 days at starvation rations. Gates saw nothing to do but abandon the place, and loaded the last of the survivors on his ship and left Virginia but a step ahead of the grim reaper. But as the colonists were sailing out of the mouth of the James, they met Delaware, with a fresh supply, and, despite the hardships of the "Starving Time," they turned back.

Under Delaware a Council was organized, the church rebuilt, and new forts erected. The new governor established himself with pomp and ruled harshly, but he brought a degree of order into the plantation. In less than a year, however, he returned to England, leaving Sir Thomas Dale as "High Marshal" of Virginia.

To the task of governing the Jamestown plantation Dale brought the experience and habits of mind of an army officer. Soon he established discipline among the turbulent colonists. Given full power over the lives of the company's laboring force, Dale administered the plantation with a harshness which proved valuable as a prep-

aration for the future. Failure to attend church was punished by death; men were broken on the wheel or hanged for trivial infractions of his martial law. A blasphemer had a bodkin thrust through his tongue and was tied to a tree until he died. Dale regulated the lives of the laborers as he would have regulated an army camp.

In two respects Dale brought about a better regime in the colony. Through craft and a display of force he overawed the Indians, and he kidnapped Pocahontas to make sure that the Powhatan preserved the peace. Also, he modified the labor system of the colony, assigning to each of the settlers a plot of land upon which he should raise his own provisions. Each settler paid to the company an annual rent and worked for the company one month in every year. The change was significant, for it was but a step from individual allotments of land to individual holdings in fee simple. But one other change was necessary before the trading post could become a colony. The development of a staple crop would solve the last difficulty.

Meantime, there was dissatisfaction in the company over the progress of Virginia. In 1612, a new charter gave the company control over the Bermudas and marked the complete abandonment of the trading post idea which had impelled the stockholders of the original venture. A group in the company, headed by Sir Edwin Sandys, were political liberals who believed that there was a close connection between economic and political freedom and contended that the grant of economic freedom to the colonists would result in larger profits to the company. Gaining control of the company, Sandys's faction, known as the "country party," sent Sir George Yardley to govern Virginia.

The so-called "joint stock" arrangement of the earlier

charter should have expired in 1616, but under Yardley's predecessor, Argall, it was continued while the governor himself defrauded both settlers and company. From the new group in control of the company, Yardley bore instructions to abolish the system of martial law which Dale had inaugurated. Moreover, since the "planters" in Virginia were co-equal stockholders in the company, Yardley bore instructions to call a representative assembly of these shareholders. In essence but a branch meeting of the company court which met quarterly in London, the meeting was significant for the political precedent which it set. On July 30, 1619, representatives from 11 plantations or boroughs met with the governor and his Council in the Jamestown church. It was the first representative assembly held in America.

More than a stockholders' meeting, this first assembly proceeded to enact laws for their own governance. It confirmed the Church of England in its authority and required every person to attend its services. It considered the education of the Indians, and took the first steps toward founding a college. It prohibited extravagance in dress and fixed the price of tobacco, the weed being authorized as legal tender in the payment of taxes and fines. The Assembly and its laws were final proof that Virginia had passed from plantation to colony.

Two cargoes which came to the wharf at Jamestown in this year of 1619 indicated the change in Virginia. The first was a Dutch privateer which brought in 20 Negroes and sold them to the colonists. Although the beginning of an involuntary African migration to the English colonies, the Negroes were not slaves, but indentured servants. Their future has been lost. Possibly some of them died during the seemingly inevitable seasoning process

while the remainder were absorbed into the population after their terms of indenture. The market for the Negroes, however, bore evidence of the need for laborers in a colony which was rapidly growing into a land of plantations. Equally important was the arrival in the same year of 1,200 people who were coming to make homes in the colony. Among them were 90 maidens, "agreeable persons, young and incorrupt," who were sent by the company to find homes and husbands for themselves. Men married the maidens and paid for their transportation in tobacco. More such cargoes were sent—additional evidence that Virginia was becoming an established colony and a place of homes.

Yet as the prospects for Virginia brightened, the prospects for the company in England rapidly grew darker. Sir Edwin Sandys belonged to the parliamentary opposition to the King, which may or may not have had some effect on James I's attitude toward the company. Within a year after Yardley had begun his governorship in Virginia, the King had determined upon the dissolution of the London Company. There were many reasons why this should have been done. The company itself had proved its own inefficiency in dealing with the situation, and the mounting toll of deaths in the New World indicated that there were derelictions in the duty of properly caring for the immigrants. The population grew but slowly, despite changes in the governmental structure of the colony. In 1619, it was estimated that there were 1,000 people in the colony, and within the next three years 3,500 more were added by immigration. Yet but 1,200 were alive in 1622. Some of them, it is true, had fled back to England; but the majority had lost their lives as a result of the malaria.

The company, in the meantime, had spent £200,000, and its treasury was exhausted.

In 1622, an Indian massacre supplemented the ravages of disease. Since 1614, when the marriage of the captive Pocahontas to Captain John Rolfe brought peace with the Indians, the colonists had gone their way unmolested. As they expanded, however, contacts between the races were inevitable. Although laws were passed forbidding whites to teach the Indians to use firearms, many of the natives acquired weapons and a skill in their use. In 1618, the old Powhatan died, and Opechancanough, his successor, determined to drive the Englishmen from the Indian's land. Secretly gathering his tribesmen, the chief awaited an opportunity to crush the invader. On March 22, the Indians fell upon the whites, and before their defeat 347 persons had been killed.

Although the company minimized the reports and made efforts to repair the damage, they could not hide the extent of the disaster. Petitions to the King were soon forthcoming to investigate conditions in the colony, and a visiting governor of the Bermudas, Captain Nathaniel Butler, passing through Virginia indicted the company's management in a pamphlet entitled *The Unmasking of Virginia*. The company had already grievously offended the King. In 1619, actuated partly by a desire to raise revenue and partly by a dislike of the tobacco habit, the King had levied a tax of one shilling a pound on all tobacco imported into England. The company asked for and received a monopoly for its tobacco, but the next year a royal proclamation limited the production to some 50,000 pounds. The company thereupon sent its entire crop to Holland, depriving the King of his revenue. The follow-

ing year another proclamation ordered the company to bring its tobacco into England:

Inefficiency in management of the colony, the dispute with the King, and the objectionable political activities of some of the company's leading spirits combined to impel the King to proceed against the charter. In addition, the company was on the verge of bankruptcy. In November, 1623, the Privy Council appointed a commission to investigate the company, and the following June the courts voided the patent. Thus, in 1624 Virginia passed into the hands of the King. The dissolution of the company was perhaps fortunate for the Virginians, for the colony had outgrown the original plans of the company. From a trading post it had become a plantation, and from a plantation, a colony of many plantations. Despite its inefficiency, the company had done a good work.

#### 4. MARYLAND

Two elements entered into the settlement of the English colonies in the New World: the dying feudal system and the commercial revolution which was rising to supplant the economic and political order of the Middle Ages. A strange commingling of the remnants of feudalism and the embryo of a nascent commercialism was present in the Jamestown plantation. The feudal concept that the right to govern was one of the rights of land ownership had made the London Company, itself a product of a new economic order, the ruler over its Virginia settlers. That government was a function of the state and might exist apart from, and superior to, the owning of land did not appear in practice until after the English colonies had been planted in the South. English settlement proceeded

under the forms of feudalism even though the spirit was that of a newer commercialism. In Maryland the adherence to the feudal prototype was clearly to be seen.

In 1632, King Charles I granted to Cecilius Calvert, second Lord Baltimore, a section of the Virginia colony's territory. George Calvert, the first Lord Baltimore, had been interested in the East India Company, the Virginia Company, and the Council for New England. Cecilius Calvert added a religious to an economic motive. As a Catholic, he looked upon his grant, which the King named Maryland, as a haven for his persecuted co-religionists.

The charter given to Baltimore made him a feudal lord over his colony. The Palatinate of Durham was specified as the model for the proprietor's powers. In the Palatinate, the accepted rule was, "Whatever power the King has in England, the Bishop has in Durham." As a recognition of the royal overlordship, the proprietor was required to deliver two Indian arrows to the King each year. In return for this symbolic obeisance, Baltimore received full rights of government. He might administer justice even to the point of inflicting the death penalty; he might make ordinances for government and appoint all officials. On the other hand, the proprietor might make laws only with the assent and advice of the freemen, and the laws must be reasonable and in harmony with the laws of England. Settlers were to have all the liberties of British subjects. There were no taxes to the King, nor did the monarch reserve the right to veto the colony's laws.

Lord Baltimore lost no time in gathering the nucleus of a colony. In November, 1633, the *Ark* and the *Dove*, carrying 200 passengers, including several Jesuits, set sail from England. The proprietor's brother, Leonard Calvert, accompanied the expedition as governor while Balti-

more remained in England to save his colony from the protests which the Virginians were making at the loss of part of their territory. In March, 1634, the colonists settled at St. Mary's, on St. George's River.

The experience of the Jamestown colony was of practical benefit to all other English colonies. Profiting from that experience, the settlers chose a high bluff for their first town, made peace with the neighboring Indians and purchased the land from them, and hastened to plant crops. These settlers had come to found a colony rather than a trading post, and so lost no time in futile searches for mythical northwest passages or elusive gold. As a result, there was no "starving time" in Maryland, and the enterprising colonists exported a shipload of corn at the end of their first season.

Politically, the development of Maryland was marked from the beginning by dissensions with the proprietor. Baltimore appointed the governor and all other officials. The governor had the right to veto acts of the Assembly. At first the proprietor attempted to initiate legislation, sending his proposed laws to the Assembly. But that body insisted upon its own right to initiate legislation and, by refusing to accept the proprietor's laws, secured its rights in 1638. The Assembly, however, could not agree with the proprietor over the taxation of the proprietary lands, and was almost constantly in conflict with the Baltimore family.

In the beginning, Baltimore had dreamed of creating a feudal state in Maryland, and he offered large estates and extensive political rights to purchasers. In true feudal fashion, he planned to establish manors over which the lords of the manor would hold full sway. He might import tenants who would attend his manorial court.



This dream was never realized. A few manors were established, but tenants were unwilling to remain in subjection when land was cheap and the opportunity to become freemen beckoned. Instead of developing manors, Marylanders turned to Virginia for a model, and the plantation system with its slaves became the typical economic and social institution.

The early days of the Maryland colony were made turbulent by a quarrel with Virginia. William Claiborne, a member of the Virginia Council, had established a trading post on Kent Island in Chesapeake Bay before Baltimore's grant was made. The settlement was incorporated in Virginia, and its representatives sat in the Assembly at Jamestown. When Virginia became a royal colony, the King had promised to respect the establishments of the planters. Relying on this promise, Claiborne refused to yield to Baltimore's authority. The Virginia councilors, resenting the loss of a portion of the colony's territory and ardently Protestant, upheld their colleague against the Catholic interloper. When Governor Calvert attempted to assert jurisdiction, he was referred to the King, who recognized Baltimore's rights. Claiborne bided his time, awaiting an opportunity to obtain vengeance. His chance came at the time of the Puritan Revolution in England.

Baltimore's desire to found a refuge for Catholics led him to adopt a policy of religious toleration in Maryland. The policy was well calculated to attract settlers, but it failed to bring large numbers of Catholics. The harsh laws of England against adherents of Rome were honored more in the breach than in the observance, and the Catholics were faced with comparatively minor discomforts on account of their faith. Moreover, most of the English Catholics belonged to the upper classes, from whose ranks

came few settlers. The Catholic population of Maryland, therefore, was always a minority, although birth, rank, education, and wealth made them the leaders of the colony. On the other hand, Baltimore's toleration attracted Puritans to Maryland. About 1645, a group of Puritans, driven out of Virginia by the conservative and Anglican Governor Berkeley, sought refuge in Maryland, where the governor gave them land in Ann Arundel County. Unappreciative of such kindness, the Puritans, who were accustomed to the English system of land ownership and resented quitrents, began to oppose the proprietor. As the Civil War approached in England, these Puritans formed a party in opposition to the Catholics. To forestall trouble, Baltimore appointed a Protestant governor, and when the King was executed, Baltimore accepted the new regime. But the Parliamentary Party classified Maryland as disloyal and appointed commissioners to assure its allegiance. One of the commissioners was Baltimore's old enemy, William Claiborne. As a result, Baltimore was deprived of all governmental power in Maryland. Claiborne then led a revolt of the Puritans against the proprietary governor. The governor resisted with arms and was captured by the rebels. Baltimore, however, obtained Cromwell's support and was restored to his rights, which he held until the Revolution of 1688. When news of this revolution arrived in the colony, the Puritans took up arms, seized the government, and proclaimed William and Mary. The monarchs accepted the revolution and made Maryland a royal colony. Baltimore retained his property rights, and in 1715 the fourth Lord Baltimore received back his political powers. Maryland remained a proprietary colony until the American Revolution.

## 5. THE CAROLINAS

As in Maryland, the remnants of feudalism gave initial form to the government of the Carolina colonies. After the restoration of the King in 1660, Charles II paid his political debts to his supporters with a grant of land in America. In 1663, he gave eight courtiers a tract of land south of Virginia between the  $36^{\circ} 30'$  and the 29th parallel of latitude and westward "from sea to sea." These eight proprietors received full governmental power to establish courts, appoint officials, and make laws, with the consent of the freemen, not repugnant to the laws of England. Colonists were to enjoy the rights and privileges of Englishmen.

Before the proprietors received their grant, settlers from Virginia had moved into the region around Albemarle Sound. These settlers were for the most part from the same classes who were being pushed into the Virginia back country and who were anxious to escape the taxes and the laws of the older colony. Virginia's Governor Berkeley, however, as one of the proprietors of Carolina sent a governor to collect quitrents. The governor was also instructed to hold an Assembly, which might make laws for the colony. In 1665, the first Assembly was held. Because of the inaccessibility of the region, and possibly because there was an established government, the Albemarle settlements grew slowly.

Unwilling to depend upon an overflow from Virginia to fill their colony, the proprietors sought settlers elsewhere. As an aid in encouraging the settlers at the same time that the full rights of the owners were protected, they employed John Locke, famous English philosopher and secretary to one of the proprietors, to draft a model government. The

result was the curious Fundamental Constitutions, which demonstrated that a great philosopher knew nothing of American conditions. Locke dreamed of a feudal land, divided into counties, signiories, baronies, precincts, and colonies possessed by a colonial nobility entitled *land-graves* and *caciques*. The proprietors and the nobility would retain two-fifths of the land, and the rest would be granted to the common people. Manors, possessed by the nobles and manned by "leetmen," would be formed on the medieval model. The government of this unique system was to be in the hands of the proprietors, whose meetings were to be presided over by the eldest, denominated the "Palatine." A Carolina Parliament, consisting of the proprietors, the nobility, and the representatives of the people, was to be established.

The proprietors proclaimed these constitutions but made little effort to put them into effect, although the danger that they might be enforced troubled the actual government. Circumstances produced in the Carolinas a government which did not differ in essentials from that in other English colonies. The proprietors were more interested in attracting colonists than in making political experiments in the American wilderness. They encouraged groups to settle in their colony, welcoming Puritans from New England, French Huguenots, and Barbadian planters without discrimination. In northern Carolina a short-lived colony of Puritans settled on the Cape Fear River. In 1690, Huguenots from Virginia were granted lands on the Pamlico River and other groups of Europeans made settlements. At New Bern, settlements of Swiss and German Palatines, economic and religious refugees, found a haven until an Indian war decimated their ranks and scattered them over the colony.

The proprietors gave more personal attention to the southern than to the northern portion of their grant. They encouraged a migration from the Barbadoes and themselves financed an expedition which sailed from England, gathered recruits in the Barbadoes, and settled in Charleston Harbor in 1670. Soon these settlers moved to the present site of Charleston. After a brief period of hardships, the colony prospered and grew, and other groups came in. Huguenots began to arrive in Charleston about 1680, and Scotch colonists came in a few years later.

Although settlement was rapid in the first years, the Carolina colonies were subject to both external and domestic troubles. The Spanish in Florida resented the English settlement on lands claimed by Spain, and attacked the outlying settlements and inspired Indian raids on the English. This danger prevented the rapid growth of South Carolina. The internal troubles were centered in quarrels between the Assembly, representing the settlers, and the proprietors. The two Carolinas were separately governed from the beginning and were formally separated in 1729. Both Assemblies quarrelled with the governors over the initiative in legislation. In North Carolina, which the proprietors neglected, a succession of weak governors yielded to the people's representatives. The payment of quitrents and the enforcement of the Navigation Laws occasioned riots and revolts. The people deposed their governor, and disorders continued throughout the colonial period.

The settlers of South Carolina blamed the slow growth of their colony on the policies of the proprietors. The proprietors' eagerness for immediate profits led to general mismanagement. In 1681, the settlers deposed the governor and the proprietors acquiesced in their action.

Troubles broke out anew in 1704, when the governor attempted to tax dissenters for the support of the Anglican Church. The settlers appealed to London, where the Board of Trade, which was determined to bring the colonies under royal control, failed to support the proprietors. This weakened proprietary power and encouraged the settlers. In 1716, the Commons House altered the system of elections by providing polling places in the various settlements rather than in Charleston. The governor vetoed the law, and the Assembly sent an agent to England with a petition that South Carolina be made a royal colony. The Board of Trade approved, and South Carolina became a royal colony in 1719. In 1729, the proprietors were removed from both colonies by an Act of Parliament but were compensated for their loss of property.

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## CHAPTER II

### LIFE IN THE TOBACCO COLONIES

#### 1. THE IMPORTANCE OF TOBACCO

**I**N each of the Southern colonies, the nature of the colony, the character of the people, the development of the government, and the social life of the people were intimately bound up with the cultivation of the staple crops. From tobacco, in Virginia and Maryland, and from rice, in the Carolinas and Georgia, the plantation system developed; from them most activities of Southern life stemmed.

As soon as the London Company recovered from its gilded hopes of a golden harvest from its Jamestown plantation, the company and the settlers looked for a marketable agricultural crop. In the early literature promoting the company, the enthusiastic "adventurers of the purse" had pointed to the possibility of growing in America those products which England was obliged to import from foreign shores. Early in the development of Jamestown the company sent over eight Polish and German artisans whom Captain John Smith immediately put to work preparing potash and naval stores. Sometime later, the enterprising company sent vine dressers from France to experiment with the Virginia grapes. The vineyardists succeeded in improving the native fruit and produced a palatable wine, but wine-making never passed the experimental stage in the colony. A similar result followed an

attempt to introduce silk. Imported experts demonstrated that the silkworm thrived on the native mulberry trees, and the Assembly made an effort to force every planter to set out and care for trees, but the colonists showed no interest in the development of a silk industry. What was needed in Virginia was a staple crop which could be produced with a minimum of expert care. Such a crop was developed in 1612, when John Rolfe perfected a method of curing tobacco.

From the days of Rolfe's experiments, the future of Virginia was assured. Immediately the Virginians set to raising tobacco, and when, a few years later, land was distributed to the planters, the culture of foodstuffs was neglected for the six-times-more-profitable tobacco. So pronounced was this tendency that in 1616 Governor Dale forbade the planting of tobacco until each settler had planted two acres of corn. Yet the next year an arriving governor found even the streets and the marketplace of Jamestown planted with the leaf. King James I condemned the "black, stinking fume" and excoriated the habit of smoking, but the "weed" brought many shillings a pound in the English market, and the colonists ignored royal diatribes as well as gubernatorial edicts. By 1627, the colonists were exporting 500,000 pounds annually and felt themselves on the way to riches. By 1639, Virginia and Maryland together produced 1,500,000 pounds, and before the close of the century, the crop exceeded 40,000,000 pounds. By the time of the Revolution, the annual crop was over 100,000,000 pounds.

As the annual production of tobacco increased, there came a decrease in the price per pound. From approximately 55 cents in 1619, the price declined to 4 cents a pound by the outbreak of the Revolution. Annually the

price varied with the size of the crop, despite repeated efforts of the Virginia Assembly to fix the price and to evaluate the prices of other commodities in terms of tobacco. In addition, the Assembly made efforts to limit the number of plants which the planter could set out and to set the dates of the planting season by law. The government appointed inspectors to destroy poor grades of tobacco, and there were frequent voluntary associations of growers who co-operated, sometimes using violence in destroying the surplus crop. Maryland planters did not co-operate generally, and the Virginians blamed their neighbors for the failure of their efforts to raise the price. The market for the colonial crop was limited, since the British Navigation Acts, while granting a monopoly to the colonial tobacco, forbade colonial products' being carried to other than English ports.

The methods of planting tobacco did much to determine the nature of the landholding systems in Virginia and Maryland. In general, when a planter had acquired land, whether by the distribution from the company or under the lax laws of the royal colony, he first destroyed the trees by the Indian method of girdling them. Then, among the dead trunks which were left standing, he put tobacco plants on little mounds about four feet apart. When the plants began to grow, they were worked with a hoe in order to keep them free from weeds. When the tobacco had obtained a required height, the plant was "suckered" by removing the top. This device produced the broad, full lower leaves which were most desired on the market. Late in the summer, the ripened plants were cut and hung in sheds to dry. When fully cured, sometimes with the use of slow-burning fires, the leaves were carefully sorted according to grade and packed in hogsheads for shipment.

Altogether, this process extended over a long period, and it was common in the South to declare that the tobacco year had 13 months. Usually a second crop was in the ground before the first was loaded on the wharves awaiting the ship which would carry it to England.

The constant work needed in the tobacco fields put practical difficulties in the way of large-scale production. But a few acres could be worked by one man, and the necessity for constant supervision of hired, indentured, or slave labor made very large tobacco fields an abnormality. On the other hand, the crude methods used in cultivating tobacco soon exhausted the soil, and the deforestation of the Tidewater region for tobacco fields caused the topsoil to wash away rapidly. This condition made it necessary for the successful planter to hold more land than he actually cultivated. On any holding but a few acres were in cultivation at any one time. The greater part was either virgin forest or abandoned fields.

## 2. LANDHOLDING IN THE TOBACCO COLONIES

In both Virginia and Maryland, the colonial authorities regarded the land as primarily a means of attracting immigration. The London Company promised a dividend in land to any who would become an "adventurer of the person," while Lord Baltimore granted manorial estates to any who would import 50 persons to his colony. Some 60 such manors were established in Maryland, and in the course of Virginia's development a number of large grants were made to royal favorites. In both colonies, however, the principal method of acquiring land was through the headright system.

In order to encourage immigration, the colonies allowed

headrights of from 50 to 150 acres to anyone importing a laborer who remained for three years. For this grant an annual quitrent of one shilling was paid. In Maryland, the law provided that this money was to be paid to the laborer, whom the employer was to escort, at the expiration of his indenture, to the court. In Virginia, the land went to the person importing, although the laborer frequently obtained an additional allotment for himself. In both colonies, extreme laxity characterized the administration of the laws. Officials frequently accepted false lists, and shipmasters received headrights on their crews on each trip to the colony. Sailors sometimes obtained headrights for themselves. Clerks in the office of the secretary of the colony often sold headrights without even the pretense of complying with the laws. As a result of these practices, land was sold cheaply. By the close of the colonial period, the good lands were exhausted, and sales had become the most common method of acquiring land.

Because of the headright system and the high cost of importing immigrants, the size of estates in the tobacco colonies was small throughout the seventeenth century. The size of holdings as evidenced by the Virginia patent office records averaged 446 acres in the period 1634-1650, and 674 acres in the second half of the century. Instead of being a land of large estates, Virginia in the seventeenth century was a land of comparatively small farms. Estates of more than 5,000 acres were extremely rare. The evidence from tax lists confirms the record of the land office to the effect that landholding in small allotments was the common rule. In the eighteenth century, however, estates became larger. The introduction of slavery overcame most of the impediments to expansion which the

system of indentured servants entailed, and the exhaustion of the soil compelled men to obtain estates larger than they needed at the moment.

### 3. THE LABOR SUPPLY

The labor system of the tobacco colonies grew directly out of the cultivation of their staple. The greatest need of these colonies was for a supply of cheap labor. With a ready market in England for all that the Colonies could produce, the only obstacle to wealth was the high price of free labor. In England, labor was cheap and there was a desperate problem of unemployment, but the cost of transportation to the Colonies was so great that the surplus population of the mother country could not migrate to the Colonies. To solve the problem of bringing the labor force of England to the eager tobacco planters, the system of indentured servitude was devised. There were two classes of indentured servants, voluntary and involuntary. In the former class were numbered those English laborers who, in return for passage, entered into bonds of indenture with ship captains. Arriving in the Colonies, the captains sold the indentures to planters for tobacco. In Virginia, the laborer could work out his passage, usually from six to ten pounds sterling, in four or five years. At the end of that period he could be a freeman in a country where land was cheap, wages high, and opportunity abundant. The system of indenture became the basis for the economic life of the tobacco colonies and furnished the overwhelming majority of the population.

In addition to the voluntary indentured servants there were the involuntary. These were criminals who, for minor crimes or for debt, were sentenced to terms in the

Colonies. Moreover, children were kidnapped in the English cities and consigned to the Colonies. These involuntary servants were purchased by the planters in the same manner as the voluntary servants.

Throughout the seventeenth century this type of immigration furnished the labor supply of the Colonies. In the last two-thirds of the century, from 1,500 to 2,000 people, men, women, and children, came annually as indentured servants to Maryland and Virginia. This made between 100,000 and 140,000 persons most of whom sought to better their conditions by migrating to the New World. Usually their term of service was from four to five years and they soon passed into the ranks of freemen. Since lands were cheap, they might easily acquire property and independence. Some of them rose to the highest ranks, becoming members of the House of Burgesses in Virginia, and at least one signer of the Declaration of Independence came to America under bonds of indenture.

The system of indentured servants was more efficacious as a builder of population than as a solution to the labor problem. Despite the number of servants who migrated, there was always a shortage of labor in the Colonies. In 1671, after the system had been in operation for more than half a century, Governor Berkeley reported that there were 6,000 servants in Virginia in a population of 45,000. Since there were only 2,000 slaves, it is evident that 82 per cent of the population was free and only 18 per cent was in bondage.

#### 4. VIRGINIA SOCIETY IN THE SEVENTEENTH CENTURY

In both Virginia and Maryland, the yeoman farmer was the backbone of society. Master of a few acres, working

along with the members of his family and an occasional indentured servant, the yeoman was free and independent in a land of opportunity. In the elections to the House of Burgesses, the yeomen selected men of ability to represent them and resist the encroachment of the Crown on colonial liberties.

Not all of Southern society, however, was composed of the yeoman class. From the earliest years, there were large planters who constituted an upper class and lived on a scale quite different from that of the poorer yeomen. Such a man was Samuel Mathews, who possessed a feudal domain upon which he raised his own household supplies of flax and hemp, employed weavers, kept shoemakers, and dressed his own leather from the dozens of beeves which he killed annually. From his beef and crops of wheat, Mathews reaped a fortune in selling supplies to incoming ships from England. In a similar manner, Colonel Robert Carter maintained a force of indentured servants which included carpenters, glaziers, tailors, blacksmiths, and brickmakers. Such large plantations were a world in themselves, producing their own food and working up the products of the lands into articles of food and clothing. Among others who maintained such establishments were Ralph Wormeley, George Menifie, Richard Kemp, John Banister, John Robbins, and Christopher Wormeley. All of these men were leaders in the society and the government of the Virginia colony. They occupied the positions on the vestries of the churches, were justices of the peace by the appointment of the governor, and many of them were members of the Council.

Throughout the seventeenth century, a number of forces were at work to break down the influence of the yeoman to the consequent aggrandizement of the wealthy



planters in Virginia society. First in importance was the position of the planters in the councils of the governors. Selected by the governor, the Council soon became almost a self-perpetuating body, and the Council members came to regard themselves as a colonial House of Lords. Inevitably they made use of their power to entrench themselves both economically and socially. In 1635, the Council, already showing signs of a desire to manage the colony in their own interests, expelled the Royal Governor, Sir John Harvey, and sent him to England under arrest. In this action they had the wholehearted assistance and support of the House of Burgesses. Although the King was incensed at this act and returned Harvey to the colony, it was not long before a new governor arrived to attempt the delicate task of representing the King at the same time that he conciliated the colonists. Governor William Berkeley, arriving in the colony in 1642, remained in control of Virginia until 1677. The governor himself soon became one of the leading planters in the colony, acquiring extensive acres and even becoming one of the proprietors of Carolina. Together with the leading members of the Council, Berkeley was soon engaged in the fur and skin trade with the Indians, thus becoming identified with such prominent councillors as Robert Beverley and William Byrd. Thoroughly a Royalist and an aristocrat, Berkeley used his position as the head of the church in the colony to attempt to take the appointment of clergy out of the hands of the relatively democratic vestries. In the persecution of Puritans, also, he showed decidedly aristocratic tendencies. In Virginia the Puritans, some of them from New England, felt the heavy hand of the governor, and hundreds of them left the colony for the less intolerant colony of Maryland. In all relations with the people of

the colony, Berkeley supported the handful of planter aristocrats against the wishes of the people.

When the Puritan revolution in England brought about the execution of the King and the proclamation of the English Commonwealth, the planter aristocracy, under Berkeley's leadership, proclaimed their loyalty to the cause of aristocracy. The Assembly, too, which by this time was becoming less representative of the yeomen, were carried for this position without trouble.

Parliament, however, would not tolerate the insubordination of a colony, and commissioners soon arrived to subdue Virginia. Over Berkeley's protests, the Council and the Burgesses made peace with the Parliament, and for a few years Virginia was a democratic and practically independent colony. The Puritans in Virginia were given some measure of control, the governor and the councillors were elected by the people, and no taxes were levied without the consent of the people's representatives. Under this regime, Virginia prospered, but the prosperity did nothing to further the cause of Puritanism and democracy. As yeomen rose to the planter class, they took on the social philosophy of the planters and became supporters of Berkeley and the royal cause. Months before the collapse of the Commonwealth, the Virginia Assembly re-elected Berkeley governor.

During Berkeley's second administration, the governor showed himself to be even more aristocratic and reactionary than his associates in the government. Persecution of the adherents of democratic religions continued, Puritans were again driven out, and members of the new sect of Quakers, holding to equalitarian doctrines, were driven from the colony to the back country of North Carolina. At the same time, the government rapidly became an oli-

garchy. The governor appointed members of the Council and of the House of Burgesses to lucrative offices. The House of Burgesses sat continuously for the ten years 1666-1676 without a new election. In local government, the justices of the peace, who constituted the country courts, were appointed by the governor from among the wealthy planters, and before the close of Berkeley's rule the vestries had become closed corporations with the privilege of filling vacancies in their own membership.

Although the legend of the "cavalier migration" to Virginia in the years of the Commonwealth and the Restoration is without basis, these years marked the rise of the lord of the manor on the plantations of Virginia. Many substantial members of the English middle class did migrate to America, bringing with them considerable capital which they invested in tobacco lands or the fur trade. These people, as well as the older, established planters, were benefited through free trade from 1640 to 1660 and increased their holdings. In addition, former indentured servants and others who had freely migrated to Virginia during the earlier years rapidly rose out of the yeoman and into the aristocratic classes. Berkeley himself stated that he could cite many cases of poor men rising to high estate, and the list of the Long Assembly contained 13 persons who had had their passage to the colony paid by some other person. If there was no migration of the cavaliers, the period of Berkeley's administration found many a yeoman rising to the wealth, social position, and outlook on life of the cavalier planter. While some of the more energetic or more fortunate rose in social position and in possession of worldly goods, the yeoman class in Virginia was falling upon evil days from other causes. Increasing taxes bore heavily upon the poorer classes. In

1673, an additional quitrent was imposed to buy off the claims of Lords Culpeper and Arlington, to whom the King had granted Virginia as a proprietary colony. The heavier taxes fell at a time when the people could ill afford them. During the Commonwealth, the colonists had built up a considerable trade with the Dutch, but the Dutch wars of 1664 and 1672 robbed them of the market. Dutch vessels seized tobacco ships and ruined trade between England and the Colonies. Immediately after the restoration of Charles II to the English throne, the British Government enacted navigation acts by which the trade with the Colonies could be monopolized by English shipmasters. Moreover, the government imposed a tax on colonial tobacco which ranged from 200 to 600 per cent of its value. The result was hardship for the tobacco growers in Virginia, and this hardship was increased by the poor crops obtained for several years about 1670. The average crop of Virginia's growers was about 1,200 pounds, which sold for an average of half a penny a pound. When the grower had paid colonial and imperial taxes, he received approximately 50 shillings for his year's work. The result of this situation was that fewer and fewer indentured servants were able to enter into the ranks of the yeomen, and they migrated to the frontier or to Pennsylvania at the close of their period of bondage. Yeomen farmers, too, weary of the lack of rewards, sold their lands to the large planters and moved to the frontier. In the end, the yeoman farmer class, earlier the backbone of the colony, tended to disappear from Virginia society. The more able rose to the planter class, while the less able were shunted into the back country to become the ancestors of the later "poor whites." In 1670, the right to vote was restricted

to freeholders, and the influence of the poorer classes in society rapidly declined.

### 5. BACON'S REBELLION

The discontent of the lower classes with the hegemony of the planter aristocracy came to a head in 1676. In 1675, the Indians of the frontier were restless, and occasional forays and murders by the savages kept the frontier alarmed. Frontiersmen petitioned the governor for protection, but Berkeley and the councillors were interested in maintaining peace with the Indians, largely as a result of their interest in the fur trade. Instead of complying with the petition, the governor forbade his subjects to repeat the petition. Believing that Berkeley was concerned "that no bullits would pierce beaver skins," the people of the frontier counties decided to take matters in their own hands. A leader for the movement was found in Nathaniel Bacon, Jr.

Bacon had arrived in Virginia in 1674 and had taken up land near the frontier. His family connections in both England and Virginia were influential, and he had been in the colony but a short time when he was given a seat on the Council. Although allied both socially and politically with the ruling oligarchy, Bacon had lands on the frontier and one of his overseers had been killed by the Indians. Incensed at Berkeley's failure to move, Bacon accepted the invitation of the people of Charles City County, placed himself at their head, and marched against the Indians.

Berkeley regarded Bacon's action as both unnecessary and insubordinate, and denounced him. But public pres-

sure was such that the governor felt constrained to call for a new election for the members of the Assembly. The new Assembly prepared to reform some of the greater abuses of government and proposed extending the suffrage and reducing taxes. When Bacon arrived in Jamestown to take his place on the Council, Berkeley had him arrested, but released him on his taking an oath of submission. As soon as he was released, Bacon returned to the people and gathered a force of 500 men, with which he marched on Jamestown. With these troops, Bacon forced the Assembly and the governor to give him a commission to march against the Indians. Berkeley complied in order to get the armed mob out of the town, but as soon as Bacon had left, the governor repudiated the commission, and again denounced Bacon as a traitor. Upon hearing this news, Bacon assembled his followers at Williamsburg, or Middle Plantation, where they took an oath to support their leader against both the governor and the Crown. In September, 1676, Bacon marched against Berkeley in Jamestown, defeated the governor's hastily gathered troops, and seized and burned the city. Essentially, Bacon's Rebellion was a social revolution directed against the wealthy planting oligarchy. How far it might have gone cannot be determined, although Bacon issued some proclamations and made some statements which indicated that he was looking to a thorough transformation of both government and society. But an attack of fever cut short the revolution, and a month after the burning of Jamestown, Bacon was dead. With no leader to take his place, the people soon succumbed to Berkeley, who proceeded to stamp out the seeds of revolution by hanging 23 of the leaders. Berkeley's vengeance caused Charles II to exclaim, "That old fool has hanged more men in that naked

country than I have for the death of my father." So saying, the King called Berkeley to England to give an account of his governorship.

The result of the rebellion was the strengthening of the position of the planter aristocracy. The King disallowed the reform laws of the new Assembly, and under subsequent governors the suffrage was limited to freeholders. The most significant result of the rebellion, however, was the disappearance of the indentured servant system and its replacement by Negro slavery.

## 6. THE COMING OF SLAVERY

Although the indenture system supplied the colony of Virginia with a number of immigrants, the evils of the situation were generally apparent. Many of the immigrants were criminals who returned to their past practices as soon as the restraint of their indentures had been removed. Among the women there were many who were immoral, and the percentage of those who were of low-grade intelligence, among both men and women, must have been large. With the disappearance of the profits on tobacco, these classes tended to degenerate and to pull others down with them. The social defects of the indenture system were apparent in the widespread poverty and the well-filled jails of the colony. In addition, there were economic defects. At best, the indenture system was expensive. The cost of transportation was great, and the need for laborers kept the time of service low. As a result, by the time a servant had learned the routine of the tobacco fields, he was free to become a competitor of the man who had taught him. The cost of such a labor system was high. Politically, the effect of the addition of such num-

bers of people to the yeoman and poorer classes must have been apparent to the planter after the experience of Bacon's Rebellion.

Since 1619, Negro slavery had been known in the Virginia colony. During the early years of the colony, most of the Negroes from Africa found a better market in the Spanish colonies to the south, and Dutch, Spanish, and Portuguese traders kept the English from engaging in the trade. At the same time, the cost of slaves was greater than that of indentured servants. The number of slaves in Virginia grew slowly, and in 1649 there were but 300 in the colony. Of these, most were held by a few of the larger planters, one man having as many as 100. In 1662 the Royal African Company was chartered, and under the protection of the Crown it was able to supply the American Colonies. After 1680, the number of slaves in Virginia grew rapidly. In 1683, there were 3,000 slaves in the colony, and six years later the number had risen to 5,000. By 1705, there was an annual importation of 1,800 slaves and in 1715 there was a slave population of 23,000. By the time of the Revolution there were 206,000 Negroes in a population of 479,000 in the colonies of Virginia and Maryland.

Since the English law did not formally regulate slavery, the legal status of the slave was defined by colonial law. Essentially, the laws of the tobacco colonies were modifications, in the direction of greater security for the planter, of the English apprentice laws which lay at the base of the system of indentures. Colonial slave codes were aimed at two things: the protection of the property rights of the masters and the protection of society itself from the dangers inherent in the introduction of a large population of an alien race and savage civilization. The



laws of slavery differed from the laws of indenture in that the slave had fewer rights than the indentured servant and the master had greater control over his life and services. Laws forbade Negroes to assemble, to wander without a permit from the master's plantation, or to own firearms. For the general protection of society, slaves were not permitted to testify in the courts except in cases where another slave was a party. Slave crimes were accorded a different punishment than those accorded to freemen. For some crimes, notably those against society, the punishments were less severe. In every case, the fundamental consideration in the administration of the law was the protection of the property rights of the master. Runaway slaves were caught by the colonial officials and housed in the public jails. On the other hand, the rights of the slaves were modified in order to protect the master. If a master killed a slave in the process of administering a legal punishment, the act was declared by law a justifiable homicide. If the killing were willful and deliberate, the master received a punishment considerably less than that accorded to the murderer of a freeman. Cases involving the relation between master and slave were tried in special courts without the aid of a jury. Justices of the peace, designated by the governor for such duty, sat with a selected group of planters of the community in administering justice. The members of these courts, themselves representative of the planter and slaveholding classes, were apt to be especially careful of infringing upon the property rights of the owners of slaves.

It is obvious that such a system of labor, protected by special legislation and by a special system of courts, was more to be desired by the planters than was that of the indentured servants. Economically, the planter con-

cluded that slaves paid 20 per cent on the capital invested in them, were cheaper to feed, and were more dependable than the white servants. Moreover, the social advantages were not to be overlooked. Protests against the British practice of dumping convicts on the Colonies became frequent, the planter-controlled legislature forbade the landing of such shipments, and indentured servants were declared to be "most of them, the very scum and off-scouring of our nation, vagrants, or condemned persons, or such others as by the looseness and viciousness of their lives have disabled themselves to subsist any longer in the nation, and when they come hither know not how, or will not betake themselves to any sober, industrious course of living." Such condemnation of the indentured servants constituted a first chapter of a rising Southern proslavery argument.

Slavery determined the social character of Virginia for the remainder of the colonial period. With its coming the great planters increased the size of their holdings, and the yeoman farmer, finding himself unable to compete in the tobacco markets with the cheap produce of the plantations, retired into the back country. As it became possible to buy land, the planters purchased tracts along the navigable rivers, built their manor houses along the banks, and maintained their own wharves for the loading and unloading of the ships which sailed directly from England to their doorsteps. Each planter maintained a storehouse from which he sold supplies to the farmers who had been shunted off into the back country and in which he stored the tobacco of the small producer. Economically, the small farmer became dependent on the planter, socially he became inferior, and politically he found himself without representation in local or colonial government. While the

planter class grew in strength and importance, the once sturdy yeoman succumbed to adverse economic conditions, was forced into the back country, and gradually merged with the poorer and sometimes degenerate populace.

## 7. SOCIETY IN THE EIGHTEENTH CENTURY

As some of the yeomen of Virginia and Maryland sank into poverty, others rose to the planter class. Their plantations became self-contained communities, and the access to the rivers rendered unnecessary the rise of towns and cities. Upon the plantations there were quarters for the slaves, storehouses, smokehouses, and tobacco barns. Surrounding the houses of the more pretentious planters were gardens and orchards. The houses themselves were of wood or Virginia-made brick. Architecturally, the houses were lacking in more esthetic properties and seldom revealed any particular qualities of imagination. A great hall formed the center of the house and into it rooms opened from both sides. A spacious staircase led to an upper floor with a similar hall and abutting bedrooms. Such houses varied in size from the modest six-room house of Governor Berkeley to the 18 spacious rooms of Stratford Hall, ancestral home of the Lee family. As the profits from tobacco made it possible, the planters imported from London furnishings and equipment to adorn their mansions. Tables, chairs, and settees of carved mahogany replaced the cruder products of home manufacture. Other articles too were imported. Candlesticks, clocks, and bedsteads with enormous feather beds were brought in. Tapestry adorned the walls, and oak panelling, especially in the dining rooms, was common. The kitchens of the

houses, still equipped with fireplaces in which spit and cradles for boiling pots were hung, were housed separately in order that the odors of cooking might be kept from the great house.

Food for the plantation was obtained on the estate itself. Since much of the land was uncultivated, the surrounding forests abounded in game, while the annual slaughter of cattle at the approach of winter kept the community supplied with beef. Of vegetables there was an abundance, and beverages ranging from the homemade "hard" cider and beer to the imported wines and brandies of the European continent graced the boards.

Gracious hospitality traditionally characterized these manor houses. To others who were to the manner born, the great houses were open, and a cordial welcome accorded to the traveller who would bring news from distant places. Among the planters, entertainment and visiting occupied a prominent place. As amusements, the planters raced horses and rode to hounds in the best traditions of the English countryside. Cards and gambling, music and dancing, stimulated social intercourse and made Virginia famed throughout the English Colonies.

The workaday life of the plantation centered about the production of tobacco, although there were slaves, and occasionally indentured servants, who were shoemakers, carpenters, or blacksmiths. Work in the tobacco fields began at sunrise and lasted until after sunset. For the noonday meal, the Negroes cooked "hoecakes," so named because they were made of a batter of meal and water and baked before a fire on the blades of the hoes. Customarily, the Negroes worked in gangs under the supervision of the overseer, although on some plantations the system of tasks was applied. Under this system when the Negro

had completed his daily "stint," he was free to follow his own devices for the remainder of the day.

The fear of punishment rather than the hope of reward kept the slave to his work. Yet the general rule of the plantations was that the Negro was happy and reasonably contented with his lot. Frequently, especially on the smaller plantations, there developed a bond of affection between master and slave which oftentimes led to the latter's emancipation for meritorious action or upon the master's death. As was inevitable under a system where one man owned another, whatever good relations between the races existed were mostly to the credit of the Negro. He made the adjustments demanded by the system. The very process of bringing the Negroes to America, however, selected those natives of Africa who were most likely to make the necessary adjustments. The Negroes were captured in Africa by other tribes of their own race, and it was inevitable that the least courageous should fall victims to the slave hunter. The long trek to the sea and the wait for the slave traders tested the Negroes for both endurance and good nature. The more fractious among them seldom reached the seacoast, while the weaklings succumbed to tropical diseases or to the bad treatment which they received. The horrors of the middle passage served further to select those whose physical equipment was rugged and whose mutinous tendencies were suppressed. Such Africans were the least capable of their race to preserve their native culture or to transplant it to the New World. The rigid discipline of the plantation prevented the development of qualities of leadership among them, making them far safer for the planter than the restless and ambitious indentured servants whom they displaced.

Despite the self-sufficiency of the plantation, the planter was not economically independent. Although he raised his own food, his main dependence for the luxuries of life was upon the tobacco trade. The English ships which came to his wharf to carry away his crop carried on their return voyage the following year the goods which he had ordered from London. The tobacco was consigned to commission merchants in England who sold the leaf in the market and purchased in turn—charging commissions for both transactions—the furniture, the tools, and even the women's clothing which the planter ordered. Seldom was there a surplus left to the planter's account: more often he found himself indebted to the factor. In addition to commissions, the planters paid heavy charges for insurance, freights, warehouse fees, and duties. In the beginning, the profits of tobacco had been so great that the planters invested all their surplus in lands and slaves. When tobacco declined in value, the planters had heavy fixed investments which could not be readily transferred to other pursuits. English merchants readily extended credit and granted new loans but on condition that the planters should raise more tobacco. Slowly throughout the first three-quarters of the eighteenth century, these debts of the planters to the London merchants mounted, being inherited with the land by their sons. The burden of these debts eventually led the planters to listen to the seductive promises of the revolutionary radicals who promised that with American independence would come freedom from these entangling commitments.

As the planters' debts to London mounted, they grew more tobacco and depressed the price, thus beginning a vicious circle. At the same time, the crude agricultural methods used in producing the tobacco caused a rapid de-

pletion of the thin soil of the Tidewater region and forced the planters to acquire both more land and more slaves. Slowly the plantation system reached out toward the western part of the colony, and planters formed land companies, such as the Ohio Company, to petition the king for grants of lands in and beyond the mountains. The expansion of the plantation system, too, pushed the yeoman farmer farther into the back country, while the falling price of tobacco doomed him to an increasing poverty. The entire process aided in the economic dislocations which brought Virginia to the verge of revolution against England.

#### 8. RELIGION IN THE TOBACCO COLONIES

In the planter-dominated society of the tobacco colonies, organized religion played little part. With the founding of the Virginia plantation, the Church of England was established, and throughout the seventeenth century it had a slow growth. In Maryland, the church was not established until the close of the century, and Baltimore made a real effort to maintain the toleration, in both letter and spirit, with which he had launched the colony. From the beginning in Virginia, the Anglican Church showed wide variations from the church in England. Democratic tendencies within the seventeenth century created divergences from the ritual and the governance of the church in the mother country. There was no bishop in America, and for years the bishop of London, who was nominally at the head of the colonial churches, paid but little attention to this part of his diocese. In his place, the governor of the colony was the head of the church, charged with the maintenance of its creed, the

employment of its ministers, and the preservation of its property. The governor, however, soon found that the churches refused to conform to his dictates. The vestries were elected in the beginning by the parishioners, and they managed the ecclesiastical life of the parishes without heeding the governor's wishes. Later, when the vestries became closed corporations and were themselves dominated by the established planters, they showed no greater inclination to yield to the authority of governor, king, or bishop.

The greatest conflict that occurred between the governor and the vestries was over the induction of ministers. The governor was instructed by the king to induct ministers into their holdings, and the governor ordered the vestries to present their clergy for induction. However, the vestries customarily refused to present their clergymen, and without formal induction, the clergy were but hired servants of the vestries. In this position, without rights of their own and without tenure, the better classes of the clergy were not attracted to the colonies. The salaries paid to the clergy in Virginia were insufficient to attract good men, being paid in the poorest grade of tobacco and at a rate of exchange far above the actual selling price. Under such conditions, it is small wonder that the clergy were either lazy or vicious. Drunkenness and immorality were common among them, and few showed either inclination or aptitude for their duties.

Even those priests who were capable and energetic were handicapped by conditions. Always a large part of the parishes were without clergymen and all of the parishes were so large that a man had difficulty in visiting his parishioners. One parish was thirty miles wide by fifty miles long, and others were but slightly smaller. Water trans-



port was the only feasible means of communication, for the few roads in the colony were impassable during parts of the year. As a result, more variations from the established practices of the church developed. In the seventeenth century, Virginia had laws compelling church attendance, but the difficulty of keeping priests and the distances from the churches produced a general indifference. Under canon law, marriages had to be performed in the churches, but distances demanded that the ceremonies be performed in homes. Funerals, too, were held in the homes because of the difficulty of entertaining guests and carrying corpses to the churchyards. Private burial grounds became the rule, despite the protests of the clergy. Moreover, there was a general laxity in the other religious observances. Laymen read the services in the absences of the priests, and sometimes read printed sermons as well. Variations from the established ritual became common, communion was given to unconfirmed persons, and many parts of the church services fell into disuse.

For the masses of the people in the back country of Virginia, the established church had no meaning. Attendance at its services was seldom considered, and the church made little or no effort to meet the spiritual needs of the lower classes. At the same time, the back country was restive under the condition of subordination and actual oppression in which it found itself. The church was tied up with the system of primogeniture and entail which made for the preservation of the great estates and with the oligarchic and aristocratic control of local government in county courts and vestries, and it was supported by the taxes of the poorer people who were in no wise identified with the powerful economic interests which ruled the colony. The church itself meant nothing to the mass of

humanity in Virginia. The people were without religious instruction, many of them never having read the Bible or heard it read, and were unfamiliar with the ordinances, rituals, and doctrines of the church. Religiously, there was a need for a revival in Virginia, and such a revival would inevitably possess political and social aspects.

Two factors produced the revival. One of them was the coming of the Scotch-Irish and Germans to the frontier of the colony, settling in the Great Valley, and bringing with them the Presbyterianism and the pietism of their homelands. The second force was the Great Awakening.

The Scotch-Irish and the Germans began arriving in the Valley of Virginia in the decade after 1730. Migrating for the most part from Pennsylvania, these hardy pioneers were welcomed by the government of the colony although Tidewater land speculators who were expecting to push the plantation society beyond the mountains regarded the Scotch-Irish tendency to squat upon the land without payment with considerable suspicion. These people were devout Presbyterians, militant in their faith, and rendered hardy by a long experience in social and religious subjection. The native leaders among them had not been drained off into a planter society as had been the case in the Tidewater regions, and they possessed a hard culture and a taste for theological scholarship. To the leaderless classes of the back country, the Scotch-Irish and the Germans offered leaders, and they offered a spiritual and emotional stimulus to do battle with the planter aristocracy. Governor Gooch, in encouraging the Scotch-Irish to settle in Virginia, adopted a liberal land policy, and, assuming that the mountains would prove an effective barrier against too close contact with Anglican Virginia, had given

them the right to maintain ministers of their own faith. Soon these ministers were crossing the mountains, carrying the gospel of Presbyterianism and of revolt against the Anglican Church to the people of the back country.

In 1738, the House of Burgesses created the two counties of Frederick and Augusta west of the mountains, and divided each of the counties into parishes. For years there was no attempt made to send Anglican ministers into the region, but the people chose a vestry within a few years. The vestry was composed of dissenters who took the necessary oaths and then administered the parishes in accordance with their own ideas. Burgesses elected from these counties were opposed to the established church and to the Tidewater planters. The Scotch-Irish Presbyterians of the mountains and valley were affiliated with the "old side" synod who were not evangelical, but there soon came among them "New Light" ministers who were ardently carrying the gospel of the Great Awakening.

The Great Awakening in America was a part of a revived world interest in a personal and emotional religion. In Europe, the twin phenomena of pietism in Germany and Methodism in England attracted widespread attention. Seemingly spontaneous revivals sprang up in America late in the second decade of the eighteenth century. In Massachusetts, Jonathan Edwards began to preach the necessity for a personal religious experience, and Wesley himself visited Georgia. Following Wesley, George Whitfield came to America, and his fame soon spread into Virginia. In December, 1739, Whitfield preached in Williamsburg, and after he left the revival grew apace.

Before Whitfield had arrived in Virginia, another and apparently spontaneous movement had lighted the fires of evangelism in Hanover County, Virginia. Under the

leadership of one Samuel Morris, a group of back-country people had begun to assemble to read Luther's writings and Whitfield's sermons. The movement grew, and soon there were reading houses in a number of places. These people knew nothing of the church services, of extemporaneous praying, or of religious music. When the activities of the reading houses caused a noticeable drop in church attendance, the law stepped in, and several persons were arrested for failure to attend church. When these people learned of the act of toleration, they declared themselves to be Protestant dissenters. Having been reading the writings of Luther, they declared themselves Lutherans and were allowed to depart in peace.

Not long after this experience, the Hanoverian reading houses began to hear of the New Light Presbyterians and invited a travelling evangelist to preach to them the first sermon that most of them had ever heard. The reading house groups found themselves in accord with the teachings of the Presbyterians and received instructions in the conduct of worship. Henceforth, they called themselves Presbyterians. For several years they were visited by migratory preachers, until in 1748 Samuel Davies, later president of Princeton University, became their pastor.

Before Davies arrived, Governor Gooch instructed a grand jury to bring in an indictment against the preachers and worshippers on the grounds that they were vilifying the established church. The extent to which the movement was taking a hold on the people was seen in the failure of a petit jury to find the Hanover Presbyterians guilty.

The methods of the New Light preachers were described by one of the better educated of the Anglican clergy. "They strive with all their might to raise in their hearers

what they call convictions, which is thus performed. . . . They thunder out in awful words and new coin'd phrases what they call the terrors of the law, cursing and scolding, calling the old people Grayhaired Devils, and all promiscuously, Dam'd double Damn'd, whose souls are in Hell though they are alive on earth, Lumps of hellfire, incarnate devils, 1000 times worse than Devils, &C, and all the while the Preacher exalts his voice, puts himself into a violent agitation, stamping and beating his desk unmercifully until the weaker sort of his hearers being scared cry out, fall down, and work like people in convulsion fits, to the amazement of spectators, and if a few only are thus brought down, the Preacher gets into a violent passion again, calling out Will no more of you come to Christ? thundering out as before, till he has brought a quantum sufficit of his congregation to this condition, and these things are extoll'd by the Preacher as the mighty power of God's grace in their hearts, and they who thus cry out and fall down are caressed and commended as the only penitent souls who come to Christ, whilst they who don't are often condemned by the lump as hardened wretches almost beyond the reach of mercy in so much that some are not so seasoned, impute it to the hardness of their own heart, and wish and pray to be in the like Condition."

From Hanover, the revival spread over all of Virginia, and "New Light" Presbyterians even carried their work into the strongholds of the Old Side Presbyterians in the Valley of Virginia. In their train, too, came Methodists and Baptists, adopting the same techniques and gaining converts throughout the back country. The members of the established church, confronted by the phenomena of this movement, were unable to combat it. Reforms were attempted in the Anglican Church, but ridicule was

deemed a more potent weapon than reform. Ridicule, however, only contributed to the sense of martyrdom which these converts felt, and the movement went steadily on despite the greater social prestige of the Episcopal Church.

The political and social aspects of the Great Awakening were soon apparent. With the alliance of the Scotch-Irish and Germans in the Valley, the representatives of these people began to attack the established church and the clergy. Patrick Henry came from Hanover Parish, and first won a name for himself in the Parson's Cause, in which he defended the vestries for failure to pay their ministers. Although the clergy were awarded a two-penny damage by the jury representing the people and acting on royal orders, Henry won a personal victory and was sent to the Burgesses to represent not only the attack of the back country upon the power of the Church but, also, the attack of the oppressed classes against the vested interest of the planters. The Great Awakening soon grew into a social revolution.

But in the meantime the planters were making a tentative alliance with the forces of the back country and the Scotch-Irish. At the height of the revival, the French and Indian War was brewing, and the revivalists urged their converts on to the duty of killing Catholics and Indians. The colonial authorities therefore tolerated them. Originally, the Scotch-Irish had been admitted to the frontier in the hopes that they would prove a buffer against the Indians. The alliance of the Scotch-Irish with the people of the back country, effected through the Great Awakening, proved of value to the planters in their war for the acquisition of the Ohio Valley. The alliance was to continue until the Revolution.

## 9. EDUCATION

Closely allied to the church and to the aristocratic nature of Virginia society was the system of education in vogue in the Colonies. The settlers of Virginia and Maryland were accustomed to the educational practices which prevailed in England. Although Oxford and Cambridge were flourishing institutions, and although there were a number of smaller "public" schools in the mother country, the consensus of prevailing educational ideas was that education was for the upper classes and was no concern of the people. With the exception of the practice of binding out poor children as apprentices, the state itself paid no attention to the education of the youth. These ideas were carried over to Virginia by the earliest settlers, and the school system of the South bore a close resemblance to that of England. Education was an individual matter, and no concern of any public body except the church.

The Virginia Company, however, was interested in the education and civilization of the Indians, and with the support of the church it launched paper plans for the establishment of the University of Henricus, which would train the youth of the Indians and return them to their people as missionaries. The scheme failed when the Indian massacre of 1622 convinced the Virginia settlers and the company that the Indians would not respond to any attempt to spread the civilization of the whites among them.

With this exception, no effort was made to establish public schools in Virginia until near the end of the seventeenth century. In the meantime, with the growth of the planter class, there developed a desire to obtain an education. Planters customarily established schools on their

plantations for the younger members of the community and often took the children of neighbors and friends into their homes for the duration of the school session. These plantation schools were frequently taught by indentured servants, some of whom were highly educated men and others of whom were of the poorest intellectual and social equipment. In addition to these schools there were some "old field" schools, so-called because they were situated in abandoned fields. These schools were private schools, taught by independent masters or by the minister of the parish. Tuition was charged for the instruction. As for higher education, the planters hoped to send their sons to the great English universities, although an occasional youth sought Harvard, Yale, King's College, or Princeton in the Northern colonies.

Although some of the plantation and field schools took the children of the yeomanry, education was generally held to be the privilege of the rich. Governor Berkeley, reporting to the Crown in 1671, expressed an idea common among the limited planter group which he represented. "I thank God," declared the governor, "there are no free schools nor printing, and I hope we shall not have these hundred years, for learning has brought disobedience and heresy and sects into the world, and printing has divulged [them] and libels against the best government. God keep us from both." The statement was hardly accurate, but it was a good summary of the hopes of the reactionary governor and his class.

Following upon Bacon's Rebellion, an effort was made to strengthen the position of the church in colonial Virginia. To the colony the Bishop of London sent a commissary, Dr. James Blair, who soon interested Governor



Francis Nicholson in a proposition to establish a college. Nicholson contributed to the endowment for a college, and Blair went to England to obtain support. Although he met an official who, when told that the purpose of the college was to save souls, responded, "Damn your souls, make tobacco," Blair succeeded in getting gifts from a number of leading men and in interesting the King and Queen. Their Majesties granted to the college a charter and assigned to it the accumulated quitrents in the colonial treasury. The colony granted the college 20,000 acres of land as well as the right to appoint the colonial surveyor. The Assembly also appropriated over a hundred pounds a year, to be raised by an export tax on furs and skins. The college, named "William and Mary" for its royal benefactors, was established at Williamsburg with Doctor Blair as president. Ministers of near-by parishes constituted the majority of the faculty. So that clergy might be trained for the established church, ministerial students were accorded free board and tuition. A preparatory school was opened in 1693, and for several years the efforts of the faculty were devoted to training younger students. Indians were admitted to the institution and a few attended.

Despite the promising beginnings of William and Mary, the college did not prosper. In 1705 the building was burned, and for some years its existence was hardly more than nominal. In 1724 one of the professors declared that it was "a college without a chapel, without a scholarship, and without a statute, having a library without books, comparatively speaking, and a president without a fixed salary till of late." As the century progressed, however, the college grew and was eventually an important molding

influence on the intellectual life of the colony. Many of the Revolutionary leaders of Virginia received their training within its walls.

With the settlement of the back country by the Scotch-Irish, academies began in the western region. Most of these were taught by Presbyterian ministers. In all the schools, whether under the church or under private management, the subjects of study were limited to the classics and theology. Hebrew, Latin, and Greek, with courses in theological interpretation, and with literary societies to train the students for the ministry or the stump, constituted the educational pabulum.

Despite the paucity of schools, Virginia was not without some pretense to a cultured society. There were libraries of respectable size on some of the larger plantations, the largest on record being that of William Byrd of Westover, which had nearly 4,000 volumes. In Maryland the commissary of the church, Dr. Thomas Bray, established libraries in nearly all of the 30 parishes of the colony. Neither of the colonies supported a newspaper until the years immediately before the Revolution. Literary activities were not unknown, and William Byrd II wrote the *History of the Dividing Line*, but the general tone of intellectual activity remained that of the English country gentleman of an aristocratic age.

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### CHAPTER III

## SOCIETY IN THE CAROLINAS AND GEORGIA

**I**N THE colonies to the south of Virginia there developed in the seventeenth and eighteenth centuries a form of society which, although differing in many respects, was similar in its institutions to that of the tobacco colonies. In the colonies of South Carolina and Georgia the culture of the staple crops of rice and indigo produced the institution of slavery with all of the social consequences which flowed from the presence of an African labor force in the midst of a white population. In North Carolina the production of tobacco and the character of the population made a colony which resembled the Virginia back country. In all the colonies the struggle between the dominant planter aristocracy and the back-country democracy prepared the way for the acceptance of revolutionary ideas.

#### 1. NORTH CAROLINA'S DEVELOPMENT

Long before Charles II created the Colony of Carolina, migrants from Virginia had crossed the line into North Carolina. As early as 1653 a group of 100 men made a settlement on the shores of Albemarle Sound, outside of the jurisdiction of Virginia. In succeeding years others followed in sufficient numbers to attract the attention of the Virginians. The settlers of the Albemarle region were back-country people of Virginia, most of them indentured servants just released from their bonds of indenture and

some of them fugitives from justice or from labor in the older colony. Possibly it was because of this that Virginia's Governor Berkeley took an interest in the settlement and made the first effort in his capacity of a proprietor of Carolina to extend government over them.

Something of the character of the population and the motives for their settling in North Carolina can be gathered from the legislation of the crude frontier assembly in the first few years of the colony's organized existence. In 1669 a law was passed providing that no settler could be sued for any debt which arose before he came into the colony. Moreover, no action could be taken for five years against any settler for any judgment outside of the colony. In addition, newcomers were exempt from the payment of all taxes for one year after arriving in the settlement. The purpose of these laws was to attract immigrants, and the type of settlers attracted soon led the Virginia planters, who saw their servants and their dependents safely beyond their jurisdiction, to call North Carolina "Rogues' Harbor." In order to protect the settlers of Albemarle from outside competition, trade with the Indians was limited to residents. This, too, was obviously aimed at the Virginians, some of whom had grown wealthy in the Indian trade. Under the protection of these laws, population grew, and the Quakers and even Puritans exiled by the harsh religious laws of Virginia sought a refuge in North Carolina.

Such a population was likely to have little respect for aristocracy, and even less for the authority of government. The grasping proprietors, hoping to encourage immigration, accepted the laws of the colony, and for a time there was little effort to establish either law or justice in the region of Albemarle. Courts, when they were established,

frequently sat in the taverns and, in lieu of keeping records, cried their decisions from the doors of the inn. Nor did organized religion lend a hand in preserving order in the "tranquil anarchy" which prevailed. In 1672 George Fox visited the Quaker settlements, and occasional travelling preachers of other denominations entered to preach and to leave. Not until after the turn of the century was there a clergyman resident in the colony, and churches were few in number as late as 1750. In 1729 William Byrd wrote of Edenton, "I believe this is the only metropolis in the Christian or Mohammedan world where there is neither church, chapel, mosque, synagogue, or any other place of public worship, of any sect or religion whatsoever." The economic arrangements of the people of Albemarle paralleled their social life. Along the coast a row of islands and shifting sand bars prevented navigation, while pine barrens near the seacoast kept the people from settling near the ocean. Yet there were commodities available in North Carolina to stimulate commerce. The pine trees furnished turpentine, and tar was produced in large quantities, while a poor grade of lumber was available. The products encouraged the maritime New Englanders to risk the treacherous shoals of the colony in order to trade there. The coast was infested with pirates, who had generally the sympathy of the settlers and who rendered commerce more than difficult.

Agriculture rather than commerce was the basic industry of the North Carolinians. Tobacco, similar to the poorer grades of Virginia, was the chief marketable crop, but the difficulties of getting it to market prevented the creation of a tobacco aristocracy in the colony. The crop had to be hauled long distances to the Virginia markets,

and Virginia imposed taxes upon the importation. As a result, North Carolina remained a land of small farms, or even of clearings in the wilderness. Occasionally there was a large plantation, and an infrequent manor house might compare with the manor houses in the more prosperous colonies; but the owners were not in possession of the governmental and social institutions of the colony. Instead, the land was dotted with small clearings, upon which the rude huts of the settlers might be seen. The farms were subsistence farms, and little grain, tobacco, or other produce was raised. Both life and property were insecure, and wandering ruffians paid little attention to the ill-administered law. Altogether, there was little in the North Carolina situation to produce the class divisions which characterized her neighbor to the north.

Virginians never learned to regard North Carolinians with anything but contempt. At the close of the first quarter of the eighteenth century Colonel William Byrd, running the boundary line between Virginia and North Carolina, expressed the common disgust of the Virginia planters with the shiftless population of the Carolina back country. The men, he said, made their wives arise early in the morning while they lay abed "until the sun has run one third of his course and dispersed all the unwholesome damps. Then, after stretching and yawning for half an hour, they light their pipes, and under the protection of a cloud of smoke, venture out into the open air, though, if it happens to be ever so little cold, they quickly return shivering into the chimney corner. When the weather is mild, they stand leaning with both arms upon the cornfield fence, and gravely consider whether they had best go and take a small heat at the hoe, but generally find reasons to

put it off until another time. Thus they loiter away their lives, like Solomon's sluggard, with their arms across, and at the ending of the year scarcely have bread to eat."

Politically, the history of North Carolina from its settlement to the outbreak of the Revolution is a long story of conflict between the people and the proprietors. For the most part, the ruling officials were the opponents of the turbulent frontier democracy which developed in the colony. In 1673 the proprietors sent a governor with instructions to put the Fundamental Constitutions into effect; but the governor soon died, and it became apparent that Locke's dream state could not exist in the wilderness. The attempt to enforce the Constitutions met with resistance, and the spirit of dissent was further stimulated by the attempt to enforce the Navigation Acts in the colony. Moreover, there was a persistent rumor in the wilderness that the Carolinas would fall to Virginia's Governor Berkeley. Since the majority of the North Carolinians had fled from the regime of Berkeley, they could not regard this eventuality as other than a most serious calamity. The enforcement of the Navigation Acts also would stop the New England traders who came to exchange the lumber and cattle and tobacco of North Carolina for the goods of the world. The attempt to enforce the acts brought the colony to the point of rebellion by 1676. In that year Bacon counted upon help from the North Carolinians in his war against Berkeley. In the midst of troubles in Virginia and disaffection in Carolina, the proprietors sent as governor a North Carolinian who had been tried in Virginia for seditious utterings against Berkeley. Thomas Miller should have been acceptable to the people of North Carolina; but he soon attempted to enforce the Navigation Acts, and a mob under John



Culpepper seized both governor and Council, took possession of the official records and residences, and convened the Assembly. The revolutionary Assembly chose Culpepper for governor, selected new judges, and seized £3,000 gathered by Miller in his capacity of customs collector. When an invasion from Virginia threatened, Culpepper went to England to persuade the proprietors to approve his acts. But Miller arrived before him, and although Culpepper persuaded the proprietors that he was right, the King's officials arrested the erstwhile governor for robbing the custom house. When he returned to America, he went to Charleston, where he laid out the present site of the city.

Following Culpepper, one of the proprietors, Seth Sothel, came to North Carolina. Sothel had bought out the rights of one of the proprietors and was, under the Fundamental Constitutions, entitled to assume control whenever he visited the colony. For five years Sothel ruled Carolina as his personal possession, seizing the people's belongings and accepting bribes to save criminals from the gallows, and ignored both the laws of England and the rights of property. In 1688 there was a new revolution, and the people expelled the proprietor. Such disorders served as no handicap to the settlement of North Carolina. "Theeves" and "pyrates," runaway servants and persecuted dissenters, came from Virginia to swell the turbulent population. For a time after Sothel there was peace in North Carolina, largely because the proprietors and their agents left the colony to its own devices. In 1704 a deputy governor, Robert Daniel, arrived with instructions to establish the Church of England, and trouble immediately followed. Before this time there was no church in the colony, although the Quakers were organized. When

Daniel required an oath to be taken by all officials, the Quakers succeeded in getting another deputy-governor, Thomas Cary, appointed. But Cary proved disappointing, for he undertook to administer the oaths, and the Quakers sent an agent to England to present their case to the proprietors. These gentlemen, far more interested in profits from their colony than they were in the establishment of the church, removed Cary and took the government of North Carolina out of the hands of the governor of South Carolina. For a time after Cary's removal, North Carolina was governed by the president of the Council, who was a member of the established church and who continued to attempt to administer oaths. In desperation the Quakers turned to Cary, and for a time both Cary and his opponent acted as governors, while the colony fell into anarchy. After three years, Edward Hyde arrived to act as governor and challenge Cary's authority. Virginia's Governor Spottswood sent aid, and Cary fled to Virginia, where he was arrested and sent to England to stand trial for treason. Owing to a lack of evidence, he was acquitted.

Partly as a result of the weakened condition of the colony during this rebellion, and partly as a result of the pressure of settlement on their lands, the Tuscarora Indians along the frontier rose against the whites in 1711 and killed hundred of settlers along the Roanoke River. When these troubles broke out, Hyde called out the militia; but the militiamen refused to respond, and the governor had to ask South Carolina for assistance. With troops from that colony, the Indians were defeated and driven out of the country.

Throughout these disorders settlers continued to migrate to the colony. Huguenots driven from France found

refuge there; the Germans and Swiss, under the leadership of Baron de Graffenried, founded New Bern; and in the years to follow other European settlers came into the region. After about 1740 Germans and Scotch-Irish began to fill up the western portion, and Scotch Highlanders joined them after 1745. The coming of these new elements changed the character of the population. More thrifty than the original English settlers and carrying more desire for culture and more religious organization with them, they gave greater stability to the colony while they furnished a new element of those who were discontented with the established church, the proprietors, and the colonial officialdom.

In 1719 a revolution against the proprietors gave the King control of South Carolina. But at the moment there was peace in North Carolina, the Council was loyal to the proprietors, and the Assembly was not in session. As a result, the Council stated that they were "entirely easy and satisfied" under the government of the proprietors, and the colony remained in proprietary hands until 1729. In that year the proprietors surrendered all their governmental powers to the King, and all but one sold to the Crown their interest in the lands of North Carolina. For 15 years, Lord Carteret retained his landed interest and then received almost one-half of the colony in exchange for his claim.

Under royal rule the machinery of government in North Carolina was little changed, although the general spirit which actuated the rulers was altered. The proprietors had been primarily interested in profits, and had tolerated loose and anarchical conditions in the hope of attracting settlers for their lands. Less interested in dividends, the royal government managed the colony in the interests of

the empire as a whole. Less yielding than the proprietary governors and more able to exert pressure upon the unruly colonists, the royal governors succeeded in ruling with considerable efficiency. In 1734 Gabriel Johnson became royal governor, and when disputes arose between him and the popular assembly, there was no yielding. Throughout the 18 years of his rule he was in constant conflict with the people over the issuance of land patents and the collection of quitrents.

When Johnson assumed control of the colony, he found that former governors had given large blocks of land to certain favored planters. The patents had not passed the seal of the province, and Johnson proceeded to withhold the grants. Since many of these grants had been made to members of the Council and the Assembly, there was an immediate opposition which eventually resulted in a victory for the claimants. Such a system of loose granting of lands had resulted in the development of the planter class in Virginia. By the end of Johnson's administration a similar social order was taking form in North Carolina, modified, however, by the long experience in democracy which the North Carolinians had had.

The struggle over the collection of quitrents kept alive the tradition of turbulence in the colony. Johnson's opposition to the creation of large estates antagonized the large planters; his course on quitrents allied the small farmers and the masses of the back-country people with the councillors in opposing the governor. The quitrent was the major source of colonial income, and from it the salaries of the officials were paid. Under North Carolina law the quitrents, which were a permanent tax on the land, were payable in commodities. Johnson insisted that they should be paid in English or colonial money at a fixed rate

of exchange. Moreover, there was a contention over the collection. The people insisted that the taxes should be collected at their doors, while the governor demanded that the commodities be brought to centrally located depots. Despite efforts to settle this dispute, it continued until the Revolution. In the process, the Council agreed with the governor, while the lower house blocked his proposals.

The increase of population under the royal government led to still another struggle in North Carolina. Within a few years after the cessation of the proprietary government, North Carolina exceeded South Carolina in population. Johnson encouraged settlement, especially in the Cape Fear region, where he hoped to develop a port which would carry the products of the colony to European markets. European immigrants came in to fill up the southern and middle portions of the colony at the same time that Scotch-Irish were settling the western counties. Soon a situation similar to that in Virginia developed. The older sections had a disproportionate power in the Assembly. The Albemarle settlements, home of the more wealthy people, had five representatives in the Assembly to a county, while the other sections had two each. Since Johnson had encouraged the settlement of these newer regions, and since he was having troubles with the representatives from the older districts, he sympathized with the demand of the southern section for a more equitable representation. Accordingly, in 1746 he called the Assembly to meet at Wilmington, largely in the hope that enough of the northern representatives would fail to attend to enable a new apportionment law to be passed. But the Albemarle representatives met this move by an agreement among themselves not to attend and therefore to prevent a quorum. Johnson recognized his Wilmington

Assembly and approved a law establishing New Bern as the provincial capital. In protest against this act, the people of the northern portion refused to pay taxes, and for a time North Carolina returned to its wonted state of anarchy. When the Privy Council vetoed the laws of the Wilmington Assembly, the Albemarle sections regained their supremacy. However, within a few years the march of settlement brought a majority of new settlers into the colony, and the Assembly reluctantly consented to the removal of the capital to New Bern. This conflict, leading the Carolina frontiersmen to regard the King with suspicion, combined with the quitrent controversy and the land struggle to bring North Carolina to the point where the American Revolution would be welcomed. The settlement of the West and the war of the Regulation completed the estrangement between the Crown and the democratically inclined people of North Carolina.

While North Carolina developed politically until it was the most democratic of the Southern colonies of the colonial period, its cultural and social development lagged behind that of the other colonies. At the time of the Revolution, the colony had the largest proportion of whites of any of the Southern communities, there being but 20,000 Negroes in a total population of 130,000. But this white dominance did not produce cultural development comparable to that of North Carolina's neighbors. Small farms and the scarcity of a landed and slaveholding aristocracy resulted in less time for leisure and for the cultivation of the arts. The colony had few libraries and no colleges, though Edenton and a few other places had schools. The sons of the few great planters went to Princeton or to the English schools for their higher education.

## 2. SOUTH CAROLINA

Far different from the type of society which developed in North Carolina was the social order of South Carolina. While North Carolina became a land of small farms, of yeoman farmers, and of few slaves, South Carolina became a land of many Negroes and a fully developed plantation system. The plantation system that developed in South Carolina was quite different from the plantation society of Virginia, Maryland, and North Carolina.

Fundamentally, the difference between South Carolina and her northern neighbors was the difference between rice and tobacco. The first few years after the settlement of Charleston, the settlers, themselves representing an overflow from the Barbadoes, sought for a crop that would enable them to duplicate the plantation system which they had known on their island home. A series of experiments came to an end in 1694 when the governor raised a crop of rice in his garden. Legend has it that a captain of a ship from Madagascar put into port and presented the rice to the inhabitants. Whatever the truth of this, the "Madagascar" variety of rice was found to be particularly suited to the swamps of the colony. Immediately the colonists turned their energies to the production of this new crop. With the coming of rice population increased, and the introduction of Negro slavery solved the labor problem. In 1708, a little over a decade after the first rice was grown, the colony had a population of 3,500 whites and 4,100 Negroes. Of the whites, only 120 were indentured servants. In addition, there were 1,400 enslaved Indians. In the next few years the number of Negroes increased, and the production of rice became almost the exclusive source of wealth of the colony. In 1718 the colony

was producing 19,530 hundredweight of rice, and by 1724 there were 14,000 whites and 32,000 Negroes, while the production of rice was about 4,000 tons. Steadily throughout the eighteenth century the production of rice increased. In 1765 there were 32,000 tons of rice produced by a population of 40,000 whites and 90,000 Negroes. A decade later, at the outbreak of the Revolution, the production of rice had increased to over 55,000 tons.

As in Virginia, the headright system of granting lands enabled the first settlers to obtain the best lands for the growing of the staple crop. Along the coast and beside the rivers, the available swamps were converted into rice fields. It was not until after the Revolution that the system of flooding the fields came into general use and enabled the planter to expand the region where his crop was grown.

Because of the unhealthful and malarial conditions in the swamps, the laborers soon succumbed to disease. The result was that cheap Negro slavery was adopted. The planters were familiar with the plantations of the West Indian sugar islands, and the system which developed in South Carolina bore a closer resemblance to that of Jamaica than to that of Jamestown. In contrast to the plantations of Virginia and North Carolina, the lands of South Carolina were divided into large estates with a number of slaves working on them. The profits which accrued to the rice planter were both large and immediate and enabled him to procure slaves with rapidity. Promoters of the colony were certain that great fortunes lay in rice culture, and one of the pamphlets of the time asserted that an Englishman with £100 could count upon a profit of 40 per cent from the beginning. In order to obtain this return, the planter was advised to buy English goods,



which he could import into the colony and sell for 150 pounds. With this money he might invest in live stock, tools, and provisions and a couple of slaves at £45 a head. Assuming the cultivation of three acres for each laborer—two in rice and the third in foodstuffs—the rice would yield for the market 1,000 pounds, which would sell for 15 shillings a hundredweight. After making allowances for the care of each slave, the farmer should realize a 40 per cent return on his investment the first year. The enthusiastic promoter did not explain why one should enter the cultivation of rice at 40 per cent when the trade in English goods would bring 50.

Although this prophecy was highly optimistic, the profits from rice were sufficient to bring a rapid growth in population and to enable the planter to enjoy luxuries and cultural fulfillment impossible in Virginia. Part of this result was due to the system of slave management and a part was the consequence of the development of Charleston as a center of colonial life. After 1742, indigo supplemented rice as a staple product of South Carolina. In 1748 Parliament gave a bounty of six pence a pound to the colonial producers of indigo. When the West Indian supply of the dyestuff declined, the Carolina planters reaped a profit of from 33 to 50 per cent.

The existence of large plantations in South Carolina made the system of slave control different from that in the other colonies. Almost as soon as rice became a feasible crop, the number of Negroes in the colony exceeded the number of whites. Moreover, the planters of South Carolina did not live on their plantations, but left them to the management of overseers. The Negroes were thus deprived of the opportunity for personal service and for advancement in the affections of their masters that was pos-

sible in the small plantations of the northern colonies. South Carolinians were wont to complain that their Negroes were more unmanageable than those of the other colonies, and they attributed this to the difference in the race and intelligence of the Negroes imported. While it is true that the system in vogue in South Carolina required intelligent laborers, it is also true that the Negro had little contact with white civilization on the large plantations of the colony. Legally, this situation is reflected in the harsher slave code of the rice colonies.

Although the slave code of the tobacco colonies was based primarily upon the English laws of apprenticeship, the South Carolinians, borrowing many of their institutions from the West Indies, based their code upon Spanish law. The Spanish system may be traced back in essence to Roman law, in which the slave was made the absolute property of his master. In Virginia and Maryland the slave had rights which his master was bound to respect, but in South Carolina the owner had practically absolute authority over the lives of his chattels. In South Carolina the willful murder of a slave was punishable by a fine of 50 pounds and three months' imprisonment. No restrictions were placed on the methods of treating the slaves, and cruel and unusual punishments were not unknown. Excessive punishment resulting in the death of a slave was not considered a criminal offense. Runaways were punished even more severely than were those in the northern colonies, and overseers were required to whip all slaves found upon their plantations without permits from their masters. Although the word of the laws in South Carolina might have been little different from that of the tobacco colonies, the difference in the system produced a variation in their spirit. The system of slavery was

harsh at its best; but the hardships were mitigated in the northern colonies by the smallness of holdings and the possibility of personal contacts between the master and the servant. In South Carolina these mitigating influences were absent, and the full rigor of the law was applied to the slave. Treatment by overseers, themselves more interested in the commissions which they were to receive from the year's crop than in the preservation of the capital invested in either land or labor, was likely to be unduly severe. The death rate of slaves in the rice fields was high, but Negroes were cheap and the system thrived.

While their slaves were controlled by overseers and the full rigor of the law, the Carolina planters spent much of their time in the enjoyment of the cultural and social life of Charleston. The city was not only the political capital of the colony but also the center of commerce and society. Possibly because the city was free from the malarial conditions which prevailed in the rice regions, planters fell into the habit of spending their summers there. Those of sufficient wealth, or with trusty overseers, remained for the winter season when the Assembly met and balls and sports gave ample entertainment. So important was Charleston in the life of the colony that until 1719 it was the only polling place, while the city itself sent several representatives to the Assembly. The only city of consequence in the South, it was the least provincial of the American metropolises, and boasted a public library, several newspapers, and a society in touch with the latest European fashions in dress and entertainment. Some of the best-known English actors performed in the theater and concerts were heard frequently. The planters who migrated to Charleston for the social season maintained

town houses. In contrast to the prevailing types of town planning and household architecture in the rest of the English Colonies, the houses of Charleston were built with their ends upon the street. High walls kept the enclosed gardens from the gaze of the curious passer-by. The houses which faced on the gardens were most notable for their two-storied porches, upon which the household spent much of its time. Unique in domestic architecture, Charleston was the most beautiful of the American cities and retains to this day something of the charm which characterized it in the colonial period.

Like her neighbor to the North, South Carolina had no college. The close connection between the colony and the mother country caused the planters to send their sons to England for higher education. There were, however, some lower schools which were better supported than those in the other colonies. In 1712 the legislature made an appropriation for a school in Charleston and provided for a schoolmaster in each parish of the colony. Education, however, retained the atmosphere of charity which it had in the other Southern colonies. Libraries, mostly semi-public in nature, were established in the colony at Charleston. By the proprietary charter the Anglican Church was established in South Carolina. For a number of years, however, no particular effort was made to enforce observance of its services, and the only church in operation was that at Charleston. In 1704, under the governorship of Sir Nathaniel Johnson, an effort was made to secure a more effective establishment. A few years earlier, laws had been passed extending religious freedom to all but, the Roman Catholics. Since there were few of this religion in the colony, there was no objection to the law. The colony now taxed dissenters for the support of the Church

of England, and the law restricted officeholders to Anglican communicants. Opposition to this, as well as to the law putting church affairs in each parish under the direction of laymen, was immediate. Laymen had the power to remove ministers. The dissenters appealed their case to England, where the opposition of the Bishop of London to the encroachment by the laymen on episcopal authority and that of dissenting London merchants effected a modification of the colonial law. Thenceforth, the church, although established, was weak in the colony, and the ministers who served the parishes were mostly members of the Venerable Society. This society practically carried the burden of maintaining the church in the colony.

Politically, the story of South Carolina differs in few essential respects from that of the other Southern colonies. If there was somewhat less dispute between the planter aristocracy and the upcountry democracy than was to be found in Virginia, there was greater trouble between the discontented and debt-ridden planters and the governors, who attempted to enforce the will of the proprietors or to force the colonials to conform to the imperial policies of the British Board of Trade. During the first years of the colony, the proprietors made efforts to establish Locke's Fundamental Constitutions among them, but the plan was so elaborate, so ill-designed for frontier conditions, that even the distant proprietors perceived its impracticability. Instead of the complicated system devised by the philosopher's fertile imagination, government in South Carolina took on the form which it possessed in the other colonies. A governor, representing the proprietors, ruled over the colony with the advice and assistance of a Grand Council and an Assembly representing the people. During the proprietary period there was

constant wrangling between the governors and the people. Fundamentally, this division was due to the fact that the proprietors regarded their colony as a source of revenue, while the settlers were more intent upon their own well-being. In the eighteenth century a particular source of dispute was the extension of the suffrage to the large number of Huguenots who had settled in the colony. By 1700 the Huguenots had been admitted to the suffrage and had been granted religious freedom.

Constant danger assailed the colony from the Spanish settlers in nearby Florida, who made occasional raids upon Charleston and stirred up the Indians against the colonists. In 1715 a quickly won war with the Yemassee Indians was a source of long-continued troubles in the colony. As a result of quarrels growing out of the war, the proprietors were forced to surrender their political rights in 1719.

As a royal province, South Carolina differed little from the other colonies. The Assembly quarrelled with royal as it had with proprietary governors, and the subjects of the quarrel were the powers of the Assembly and the right of the colony to issue paper money. The paper money issue served to align the merchants of Charleston against the planters and the people of the colony. The dispute was finally settled by the enactment of a law fixing the value of the outstanding currency and forbidding any addition to its volume.

Although this settled the particular issue, the fundamental conflict between the merchants and the people was to continue its existence in other forms. Especially virulent was the struggle between the Council and the Assembly over the right of the Assembly to initiate money bills. From 1730 to 1739 the government

was torn over this issue, which was settled by an unsatisfactory compromise in the latter year. The compromise gave the Council the right to amend appropriation measures which originated in the lower house. The Council, however, seldom attempted to execute the power, so that the practical victory was with the popular representatives.

The last years of the colonial period in South Carolina were marked by an absence of major disputes between the social classes. Part of the reason for this peace was the prosperous nature of the colony, which dated from the introduction of indigo culture in 1746. For this new commodity, the colony was indebted to Eliza Lucas, 19-year-old daughter of the governor who imported plants and succeeded in extracting a high grade of dye. The profits from this new industry were increased by a bounty from the British Government, and indigo rivalled rice as a staple crop.

### 3. THE DEVELOPMENT OF GEORGIA

Georgia, the last of the English Colonies in America, was the only one formed as a result of deliberate planning by the British Government. The purposes of the colony were at once military and philanthropic, and had their origin in the fertile brain of James Oglethorpe. As a military man, General Oglethorpe realized that the colony of South Carolina was exposed to attacks by the neighboring Spaniards in Florida, and that the colony, small in population, was further weakened by the existence of slavery and the plantation system. As a business man with large interests in the Royal African Company, General Oglethorpe wished to retain and protect the rich market which his company had in the rice colony. But

General Oglethorpe was also a philanthropist, and as a member of Parliament he had investigated the conditions in debtors' prisons of England. The combination of these interests led Oglethorpe to conceive of a buffer colony between South Carolina and Florida, settled by the inmates of the debtors' prisons on condition that they render military service, and free from the weakening evils of slavery and rum. Parliament perceived both an opportunity to strengthen the English grip on the Southern fur trade and a means of defending the frontier in an impending war with Spain, and authorized a group of philanthropists to establish the Colony of Georgia. The proprietors were to act as trustees of the colony, supervise its settlement, rule over it in a patriarchal fashion, and turn it over to the Crown at the end of 21 years. The profit motive was absent, for the trustees were not to hold land in the colony or to derive a revenue from it.

In the spring of 1733 Oglethorpe landed at the mouth of the Savannah River with 130 men, women, and children who had been gathered from the poorest classes of London. The city of Savannah was laid out, and settlers were welcomed from all parts of the world. Within a few years, numbers of Germans and Scotch Highlanders and even some French and Jews arrived to take up lands under the strange system which the trustees established.

The trustees had no desire to establish the plantation system under which the poorer classes would have to compete with the planter aristocracy. It was not the intention of the trustees that their colony should compete with the rice and tobacco of the other colonies. Instead, they hoped that Georgia would produce silk and other commodities not already produced under the British flag.



Accordingly, they established the settlers on 50-acre tracts, which were to be held on the condition of the performance of military duties. These lands could not be sold, mortgaged, or divided by the holders. Partly because Negroes might aid the Spanish in case of war, Parliament forbade the importation or use of slaves in the colony. The trustees, however, furnished indentured servants who were to receive 50 acres of land from the colonial government upon the completion of their indentures. Independent settlers, paying their own way, might receive allotments of land not to exceed 500 acres, but they were required to transport from six to ten servants. The trustees fixed the rate of wages for laborers and provided for loans to worthy settlers to enable them to acquire farms.

Settlement of the colony proceeded slowly. Despite parliamentary grants and considerable activity on the part of the trustees, there were few who were willing to migrate to Georgia. In 1734 the colony had a population of 618, 115 of whom were of non-English stock. About 18 per cent of the population was indentured servants, some of whom were hired out by the trustees to settlers and while others were employed by the trust itself.

Almost from the beginning it was evident to the Georgia settlers that the policy of the trustees was unfeasible. The prohibition on slaves and the high cost of servants prevented the settlers from having an adequate labor supply. "It's hard living here without a servant," complained a settler who found that the task of clearing the forest and building houses and fences prevented his planting a crop. Despite the effort of the trustees to supply indentured servants, the cost remained high and the people of Georgia complained against the policy which prevented

them from acquiring Negroes. Moreover, the colonists objected to the land ordinances which prevented the growth of a plantation system. Across the Savannah River they beheld with envy the mansions, wealth, and freedom of the South Carolinians. Some of the settlers moved across the line into South Carolina, while others, hoping to bring about a modification of policy, petitioned the trustees for permission to import slaves. But Oglethorpe thought that the slaves would weaken the colony for military defense, that they would flee to the surrounding Indians, and that the colony, instead of being a haven for the poor and the oppressed, would be overrun by slaveholders.

Soon after 1740 the Georgians began to ignore the law against the possession of slaves. In England the pressure of the slave traders on Parliament was sufficient to cause expressions of dissatisfaction to the exclusion, and the trustees were constrained to close their eyes to the tacit violation of their decrees. In 1749 the trustees themselves asked Parliament for a repeal of the act excluding slaves. With this there came an abandonment of the land policy of the trustees, and the plantation system came to Georgia. Thereafter, the economic structure of the colony was that of South Carolina. The slow growth of population, however, continued, and most of the social evils of the plantation system remained in an embryonic stage until after the Revolution.

Under the trustees the government of Georgia was solely in the hands of the trustees or the governor whom they sent to the colony to control the settlers. In 1751 the trustees turned over their rights to the Crown, and until the Revolution Georgia was ruled as a royal colony.

Under the first of the royal governors, there was friction between the King's agent and the colonial Council; but later governors pursued their course with tact, and questions of prerogative and power did not arise. On the eve of the Revolution, Georgia was the most loyal of the Southern colonies.

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## CHAPTER IV

### THE COLONIAL FRONTIER

#### 1. THE FRONTIER REGION

WHILE plantation agriculture was producing an aristocracy in the Tidewater regions of the Southern colonies, an entirely different economic and social order was forming beyond the Blue Ridge Mountains. From an early date settlers in the Tidewater had been interested in the West and an occasional trader had ventured into the Piedmont, over the mountains and down into the Great Valley. In 1650 Captain Abraham Wood led a party through the mountains to the falls of the Roanoke River. Fur traders sought the Indian country and penetrated to the Cherokee lands to the southwest. The fur trade enabled some of the Tidewater entrepreneurs to lay the basis of the fortunes with which they founded their plantations and stocked them with slaves. In 1671 Governor Berkeley, inspired by Indian stories of a western river that might turn out to be the long-sought route to the Pacific, sent an expedition under Wood which reached the New River. Other exploring expeditions reached the Yadkin River and penetrated the Tennessee Valley. The news of the western land stimulated a desire to possess it, and a number of Tidewater planters secured grants in the Piedmont region. The Assembly made grants on condition that they be settled and forts erected as a protection against the Indians.

This Tidewater interest in the frontier gave impetus to an expedition by Governor Alexander Spottswood to the Blue Ridge. Spottswood became Governor of Virginia in 1710 and immediately undertook vigorous measures to develop the colony. He imported winemakers to inaugurate grape culture and formed a settlement of Germans at Germanna to melt iron. In 1716 the energetic governor with a company of 50 "gentlemen," their horses shod with the newly made iron, crossed the Blue Ridge and proceeded into the Valley of Virginia. The land was formally claimed for the King, and Spottswood and his "Knights of the Golden Horseshoe" returned to Williamsburg to petition the Crown for land grants in the fertile valley. The wasteful system of tobacco culture made the planters eager to desert their exhausted fields for better land.

## 2. THE GERMANS AND THE SCOTCH-IRISH

While the Tidewater planters were obtaining grants for lands over the mountains, the Valley began to receive population from another source. The settlement of Pennsylvania, beginning after 1685, had caused the stream of indentured servants to turn from the South to seek the greater opportunities which William Penn offered them in his new colony. Germans migrated to Pennsylvania in great numbers, and Quakers found there a refuge from religious and economic persecution in their homeland. Sometime before 1720, the Scotch-Irish began to arrive in the New World, entering at ports from Boston to Savannah. To the Scotch-Irish, as to the Germans, the opportunities offered by Pennsylvania's proprietor were especially attractive. The eastern portion of Penn-

sylvania soon filled up and the newcomers were forced into the West. The contentious character of the Scotch-Irish led them to quarrel with the proprietors over the price of lands, dealings with Indians, and the payment of quitrents, and when the proprietors attempted to force them to pay for lands upon which they settled, they moved southward, along the Great Valley, into Maryland and Virginia. The Southern frontier was thus filled by an overflow population from Pennsylvania.

The first settlers in the Virginia Valley arrived about 1726. Germans, English, and Scotch-Irish were inextricably mixed in this migration. The first groups settled near Martinsburg and Shepherdstown in present-day West Virginia and others along the Opequon and Cacapon Creeks in the vicinity of Winchester. The population of these regions grew so rapidly and spread so far that in 1734 Orange County was organized to extend government over all of Virginia's western regions. In 1738 the region west of the Blue Ridge was organized in two "districts" named Frederick and Augusta. In 1743 and 1745 these districts were organized as counties. The remaining region, including the present States of West Virginia, Kentucky, Ohio, Indiana, Illinois, Michigan, and Wisconsin, was known as West Augusta. In 1754 the settlements along the South River were included in Hampshire County, the last county to be created in Virginia before the Revolution.

From Virginia both Scotch-Irish and Germans spread into North Carolina. Between 1743 and 1762 the counties of Granville, Bladen, Anson, Orange, Rowan, and Mecklenburg were formed to incorporate the expanding population. In order to fill up her frontier, South Carolina made land grants and furnished live stock and pro-

visions to prospective settlers. Georgia, too, furnished equipment to settlers. Lands in Virginia and Maryland sold cheaply, and Governor Gooch offered religious toleration to the Scotch-Irish Presbyterians who moved into the Valley of Virginia.

These frontier settlers differed greatly from the inhabitants of the Tidewater. Many of the Germans were members of pietist religious groups and attempted to settle in religious communities. Some were members of the Lutheran and Reformed Churches. All of them were Protestants. The Scotch-Irish were a particularly hardy race inured to hardships by long years of bitter struggle against the forces of man and nature. Lowland Scotch in origin, they had inhabited the frontier between England and Scotland through long generations when there was almost constant war between these sections. For a century before their migration to America these stern Presbyterians had acted as an outpost of Protestantism in fiercely Catholic Ireland. In Ireland they had found themselves discriminated against by the English and victims of economic measures to protect English landlords and industry. Seeking freedom, they had moved to America, bitterly resolving to brook no tyranny from landowners, lawmakers, or priests of the established church. They squatted on the land in Pennsylvania and the Southern colonies, defiantly informing the Penn family that "it was against the laws of God and nature that so much land should be idle, while so many Christians wanted it to labor on and to raise their bread." In Virginia they quarrelled with Lord Fairfax over the ownership of land, and in North Carolina they refused to pay quitrents.

In religion these frontiersmen were ardent Presbyterians and enemies of the established church. They were



not without culture, and they established academies and "log colleges" as readily as they built churches. The distance from markets and the inaccessibility of the sea-coast prevented tobacco culture from developing among them, and slavery took no root. Their farms were small, and wheat and corn, rather than marketable crops, were produced. In contrast to the Tidewater aristocracy, the frontier was the home of a proud and defiant democracy. From their Calvinist theology they obtained a rationalization of the democracy to which they adhered. Once established on the frontier, they demanded political rights, and through their religious leadership at the time of the "Great Awakening" they organized the back-country people of Tidewater and Piedmont in opposition to the planter aristocracy.

### 3. LAND SPECULATION

The settlement of the Valley by Scotch-Irish and Germans increased the desire of the Tidewater planters to acquire western lands for their needed expansion. Land-hungry Virginians petitioned the Crown for large grants or patented lands in the colonial land office. In 1745 Lord Fairfax secured title to the Northern Neck between the Potomac and Rappahannock Rivers and in 1748 employed young George Washington to survey his lands. A decade earlier, William Byrd II had received 100,000 acres on the Roanoke River. In 1748 a number of the leading families of Virginia, including the lieutenant governor, Robert Dinwiddie, several members of the Lee family, and Lawrence and Augustine Washington, half brothers of George Washington, formed the Ohio Land Company to petition the King for a grant of land. At

the moment, the English were anxious to assert their claims to the Ohio Valley, and the company received 500,000 acres of land on the Ohio between the Monongahela and the Little Kanawha Rivers. The company was given 200,000 acres on condition that it would settle 100 families on the land and build a fort to protect them against the Indians. When this settlement had been made, the company could receive the additional 300,000 acres.

In 1750 the Ohio Land Company employed Christopher Gist to survey its lands and to make peace with the Indians. Gist looked over the lands, reported to the company, and went back to join other British agents in a conference with the Indians at Logstown, a trading post on the Ohio River. The Virginia Assembly offered inducements to settlers and began the building of a road and a fort on the company's lands.

Other land companies were formed after the model of the Ohio Company. In 1749 the Virginia Assembly chartered the Loyal Land Company and granted it 800,000 acres along the North Carolina line. The same year, the Assembly gave the Greenbrier Company 100,000 acres in Western Virginia. Land speculation, combined with the needs of the plantation system, was expanding the borders of colonial Virginia.

#### 4. THE FRENCH AND INDIAN WAR

The land into which the Virginians were pushing was claimed by the French. Owning both the St. Lawrence and the Mississippi Rivers, the French wanted the Ohio Valley to connect Canada and Louisiana. Their relations with the Indians, other than the Iroquois, were

friendly, and their fur traders rivalled the English in seeking to trade with the red man. In 1749, just after the Ohio Company's grant was confirmed, the French in Canada sent Céloron de Bienville down the Ohio River to plant lead plates which claimed the land for the King of France. When Gist held council with the Indians, French traders made efforts to defeat his negotiations. As the Virginians began to build their road into the Ohio Company's lands, the French planned to construct a series of forts from Lake Erie to the mouth of the Mississippi. In 1753 the first fort was built on a branch of the Allegheny River.

The Virginians prepared to protest against this advance of the French. Governor Dinwiddie commissioned young George Washington to carry a message to the commander of the fort. Gist guided the messenger to the fort, where Washington formally notified the French that they were trespassing and demanded the abandonment of the fort. The commander received the Virginian with courtesy but refused to leave. Washington returned to Virginia to report to Dinwiddie and recommended the use of force against the invader. The governor dispatched a party to build a fort at the forks of the Ohio and sent Washington forward with a force of 300 men. Approaching the region of the fort, Washington met a French force. In a skirmish the commander was killed. Pressed by the French, Washington hastily constructed a fort, which he named Fort Necessity, and prepared to meet the French advance. The French approached, and June 3, 1754, Washington was forced to surrender.

Upon the news of this defeat, Virginia prepared for war. The English Government determined to support the colony in its claims to western lands. General Ed-

ward Braddock was despatched to Virginia with two regiments of regular troops. The general consulted the governor and prepared to march into the wilderness, accompanied by militia from the colonies. Following the trail which the Ohio Company had cut to their lands to Cumberland, Maryland, the red-coated soldiers struck out into the wilderness. Knowing nothing of Indian warfare, the British general built a road as he advanced and insisted upon maintaining the orderly march which was more suited to European than to American conditions. The colonial militia, enlisted for short terms, were disgusted with the slow progress and objected to the work necessary to cut the road. Knowing full well that his regular soldiers would be worthless in such conditions, Braddock ignored Washington's advice to follow the frontier and Indian method of warfare. On July 9, 1755, French and Indians attacked the advancing columns. Braddock was wounded and died four days later, and the British and colonials fell back. In Virginia there was terror and despair but a pride in their militia who had held off the enemy until retreat could be made. The Assembly voted 40,000 pounds to prosecute the war.

Under Washington's direction a line of frontier forts against the Indians was constructed by the Southern colonies. The British Government sent 1,300 regular troops into the South, and the colonies furnished 5,000 men. Especial danger came from the Cherokees on the borders of the Carolinas. The forts in the Cherokee country, notably Fort Loudon, served to keep the Indians quiet and to protect Charleston from attack. The Indians, too, prevented Louisiana from being active in the war, and corruption among the rulers of the French colony saved the Southern colonials from attack. The result was that the

French and Indian War was fought out in the Northern colonies and in Canada. To the credit of Braddock it should be noted that the decisive movements of the war were fought by regular troops in campaigns conducted according to European methods. The colonial militia and their Indian allies were relatively unimportant in the more significant aspects of the war.

### 5. WESTERN LANDS AND BRITISH POLICY

By the Treaty of Paris which ended the war in 1763, the English received Florida and Canada and the Ohio Valley. Soon thereafter France transferred Louisiana to Spain and abandoned her colonial dreams in North America. Immediately the land speculators of Virginia prepared to take possession of the Ohio Valley. Along the frontier Scotch-Irish and Germans began to move into the newly conquered regions, and the Tidewater planters formed companies to develop the land.

The declining fortunes of France struck terror among the Indians. The Cherokees rose in South Carolina in 1760, and Fort Loudon fell. The next year an expedition from Charleston devastated the Cherokee territory and peace was made, but the Southern Indians remained hostile to the colonists.

Although the French and Indian War had been a world-wide conflict between France and England, the British Government had given more attention to the American scene than it had ever done before. For the first time the rulers realized that the colonial militia was inadequate and that the frontier attitude toward the Indians was fraught with danger to imperial well-being. Moreover, the government received conflicting advice

from interested colonials. While Virginian land speculators clamored for virgin land grants, the fur traders of Pennsylvania advised the Crown against encouraging the advance of agricultural settlement. The result was that the Board of Trade determined to delay a decision until it could formulate a policy for the West. Accordingly, in October, 1763, the King issued a proclamation which provided for a suspension of settlements and extended political jurisdiction over the West. The proclamation created the Colonies of East and West Florida and the Province of Quebec. The management of Indian affairs was taken out of the hands of the several colonies and placed under the control of the Crown. Two Indian agents, Sir William Johnson for the North and John Stuart for the South, were appointed. The territory west of the Alleghenies was set aside as Indian territory from which all settlement should be excluded until the Indian title could be cleared. Only the Crown's agents could negotiate with the Indians for the evacuation of the western lands.

The necessity for this proclamation became immediately apparent when the Indians on the frontier rose in defense of their lands. Abandoned by the French and especially fearful of the "Long Knives" from Virginia, the Indians took courage from desperation. Under the leadership of Pontiac, chief of the Ottawa tribe, the western Indians united and in May, 1764, captured the British posts from Mackinaw to Fort Pitt and laid waste the settlements along the whole frontier. About 2,000 whites fell captives and were killed by the savages. The British officials in the Colonies and the colonial governments immediately took action. Virginia raised 1,000 militiamen to march against the Indians. An expedition from

Fort Pitt under Colonel Henry Buquet defeated the Indians beyond the Ohio. In July, 1765, representatives of the defeated Indians met Sir William Johnson at Niagara to agree to terms of peace.

Although Pontiac's Conspiracy proved the necessity for approaching the Western questions with caution, the land-hungry Virginians of both Tidewater and frontier were eager to move west. The war had prevented the Ohio Company from complying with the terms of their grant, and their title had lapsed. The members of the company thought that the circumstances ought to be considered and that they should be given additional time for making settlements. The Crown, however, had determined to substitute the principle of the King's Proclamation for the earlier policy of encouraging settlements. In Virginia the hopeful speculators believed that the Proclamation was but temporary and that there would soon be a return to the older system. Leading Virginians, many of them members of the Ohio Company, formed a new company to petition the King for a grant along the Mississippi River in present-day Illinois and Kentucky. Washington was anxious to obtain lands, and sent a surveyor across the mountains—in defiance of the law—to mark out suitable lands which might be patented as soon as the Proclamation line was erased. Moreover, Washington busied himself in organizing the militia officers who had been promised land bounties by Virginia. These officers, too, sent an agent to England to secure their claims. At the same time Pennsylvanians and New Yorkers were turning their attention from fur trade to land-jobbing. Sir William Johnson, the Indian agent; George Croghan, fur trader; the fur trading firm of Baynton, Wharton and Morgan; New Jersey's Gov-

ernor William Franklin; Benjamin Franklin; and others prominent in colonial politics and business formed a company to petition for a new colony east of the Mississippi and north of the Ohio. This scheme was defeated by Lord Hillsborough, President of the Board of Trade. Undismayed by this setback, the company enlarged its membership to include important London bankers, made peace with the rival petitioners for land by incorporating the old Ohio Company's claims and those of the Virginia bounty-seekers in their own request, and changed their petition to one for a colony south of the Ohio and east of the Little Kanawha River. Skillful lobbying by Benjamin Franklin, agent for Pennsylvania, and the London bankers succeeded in removing Lord Hillsborough, and the colony of Vandalia was chartered in 1772. Before the papers could be issued, however, the American Revolution began, and the proposed fourteenth colony was never launched.

Meanwhile the Indian agents had been at work clearing the Indian title to the Western lands. In 1768 Sir William Johnson made a treaty at Fort Stanwix by which the Iroquois gave up western New York and Pennsylvania. In the same year Colonel John Stuart met the Cherokees at Hard Labour and negotiated a treaty which cleared the title to lands south of the Ohio, and in 1770, by the treaty of Lochaber, the Cherokees gave up most of what is now West Virginia and Kentucky.

## 6. WESTERN SETTLEMENTS

To the people of the frontier neither the dangers from the Indians nor the solemn pronouncements of imperial policy acted as a deterrent for settlement on the forbidden



land. German and Scotch-Irish moved across the Proclamation line as soon as Pontiac's Conspiracy had been suppressed. Without title to their possessions, they marked off their boundaries with their tomahawks and defended their occupancy by concerted action against claim-jumpers and land speculators. Within a few years Western Virginia was dotted with settlements at Charleston, Morgantown, Buckhannon, and Wheeling, and the Kanawha and Greenbrier valleys were occupied.

Farther South was another movement of population. The region of the Holston River had become known to Virginians about 1767, and in the following two years a number of settlers sought the fertile valley. From Augusta County in Virginia a party moved in under the belief that they were settling in Virginia. In the spring of 1770, seventeen North Carolina families under James Robertson joined the settlers in the Watauga country. Many of them were former "Regulators" fleeing from the royal officials of North Carolina. John Sevier joined the colony in 1772. About this time the settlers learned that they were not in Virginia and requested the North Carolina government to extend its protection. But the Carolina government delayed action, and the settlers, in true frontier spirit, formed themselves into the Watauga Association and drafted laws for their own government. They created a "Court" with full legislative, executive, and judicial powers and proceeded to negotiate with the surrounding Indians. In 1774 they leased lands from the Indians for ten years, and the next year succeeded in making a treaty giving them the lands permanently. In 1778 North Carolina organized the Watauga settlements as the "Washington District," and the frontier government disappeared.

Land speculation was not limited to Virginia and the Northern colonies. The dream of acquiring fortunes from Western settlements developed in North Carolina at the same time that the Virginia planters were petitioning the king and settlers were moving to Western Virginia and the vicinity of the Holston. A few years before the French and Indian War, the back country of North Carolina received an influx of planters from Virginia. These men soon created a plantation society similar to that on the Virginia Tidewater. Among these planters young Richard Henderson practiced law and looked beyond the mountains with hopes of acquiring a fortune. In the course of his legal activities, Henderson came into contact with young Daniel Boone, who had made hunting trips through Cumberland Gap into the "Dark and Bloody Ground" the Indians called Kentucky. Henderson organized a company which employed Boone as a surveyor and sent him into Kentucky to mark off lands.

Before Boone, explorers had entered Kentucky. In 1752 John Findlay travelled down the Ohio River to the falls and had learned of Cumberland Gap from the Indians. In 1761 a party of "Long Hunters" entered the region from Cumberland Gap, and other hunting parties followed them during the succeeding years. In 1765 George Croghan visited the region and penetrated as far as the Great Bone Licks. The Indians, however, resented the hunters, and about 1770 began to attack them.

The reports of the fertile blue grass and the beautiful forests of Kentucky stimulated Henderson and his company. In May, 1769, Boone set out for Kentucky, where he explored the region, was captured by the Indians, escaped and made his way back with glowing accounts for

the ears of his employer. Henderson then sent Boone to make terms with the Cherokees. In 1773 Henderson was assured by the Indian agents that a purchase from the Indians would be valid. Armed with these opinions, Henderson reorganized his company into the Louisa Company, which, at a meeting at Hillsborough in August, 1774, decided to have, by purchase if required, lands from the Indians. Henderson visited the Cherokee territory and made preliminary arrangements. Upon his return, the company was again reorganized, in January, 1775, as the Transylvania Company. Lands were promised to actual settlers at a rate of 20 shillings for 100 acres. Early in the year Henderson, Sevier, Robertson, and Isaac Shelby met the Indians at the Watauga Council grounds. The Indians offered to sell lands which had already been sold to Virginia but which had not been paid for. This the whites refused, and the Indians agreed to sell lands south of the Cumberland River. But the speculators were still dissatisfied, and on March 17 the "Great Grant" was made. By this the Indians sold all of Kentucky and part of Tennessee for goods valued at 10,000 pounds. The Watauga settlers also purchased a tract on the Holston River for 2,000 pounds and made several smaller purchases.

Before the Great Grant was made, Boone set forth with a party of axmen to clear the way into Kentucky. Henderson followed with a party of settlers. Despite raids by hostile Indians, the party reached Boonesborough and prepared to establish homes. The entire expedition, however, was assailed by enemies. In Virginia there was considerable resentment at the purchase by a North Carolinian of lands claimed by the northern colony. In North Carolina and Virginia the governors issued proc-

clamations condemning the Transylvania Company, and in Virginia leaders were greatly excited. Washington listened to talk of reducing the invaders to obedience, and Patrick Henry, who had earlier been refused permission to join the company, denounced Henderson.

Despite these objections, Henderson's colony went forward. Before Boonesborough was established, Harrodsburg had been founded and there were settlers at St. Asaphs and in other places. Henderson planned to unite these settlements under one government. Delegates from four towns assembled at Harrodsburg in May of 1775, constituted themselves a legislature for Transylvania, and passed laws protecting game and encouraging the breeding of horses. The proprietors reserved the right to veto laws. A land office and a store were opened by the company. In September the Transylvania settlers petitioned the Continental Congress to admit them as the fourteenth American State.

Almost simultaneous with the founding of Transylvania there were other land-speculating movements in Virginia. Lord Dunmore, Virginia's royal governor, was as eager as any Tidewater planter for Western lands. He looked with favor upon a scheme proposed by Dr. John Connolly to plant a colony on Virginia's lands south of the Ohio, and when the Vandalia project was launched, the governor protested in the name of Virginia's charter right to the region. The governor's legal advisor on land matters was Patrick Henry, himself interested in acquiring landed wealth. Henry assured Dunmore that individual purchases from the Indians were legal. In 1773, Dunmore joined the Wabash Company and began to have an immediate interest in westward expansion. This company was one of two formed by William Murray, who had

bought two tracts in Illinois. Murray gave Dunmore a controlling interest in one company in order to enlist his support. The governor promptly commended the Illinois and the Wabash Companies to the British Colonial Secretary.

Lord Dunmore's interest in the West made him intolerant of Indian efforts to protect their lands. As frontiersmen pushed into the Indian territory, there were repeated clashes between the races. The Scotch-Irish were stubborn and relentless and showed no disposition to respect Indian rights. All over the West, the frontiersmen adopted the Indian methods of conflict, and the worst barbarities of savage warfare were practiced by both races. Raids of Indians upon white settlements were met by retaliatory plunderings of Indian villages. The frontier was in ferment and the colonial officials in the West did nothing to discourage the excesses of savagery. In January of 1774 Doctor Connolly fired upon a party of Shawnees at Fort Pitt, and in April he issued a proclamation to the frontiersmen urging them to defend themselves. At the same time, Dunmore placed the militia under Connolly's command. Primarily, Dunmore was interested in quieting the Indians in order to make a treaty which would further his own land speculations.

The war came quickly. The frontiersmen interpreted Connolly's proclamation as an invitation to begin hostilities, and on April 30, 1774, frontier drunkards murdered the family of a half-breed, Logan. The bereaved man immediately aroused his tribesmen, and Indians began to attack settlers from the Ohio to the Tennessee. Dunmore personally marched at the head of 1,200 men, and a second expedition under Colonel Andrew Lewis advanced upon the Great Kanawha. The governor reached

the Indian villages near the mouth of the Hocking River while Lewis assailed the savages under Cornstalk at the mouth of the Great Kanawha. On October 10, 1774, Lewis defeated Cornstalk at the battle of Point Pleasant and removed the Indian menace from Virginia's western settlements and from Henderson's Transylvania colony. The Indians made a treaty agreeing to stay north of the Ohio River.

Lord Dunmore's war was the final act in colonial relations with the Indians before the Revolution. The war was not approved by the imperial authorities, but was precipitated by Dunmore's own personal interests. Nevertheless, it had the effect of preventing the Indians from giving effective aid to the British during the forthcoming Revolution.

## 7. TIDEWATER AND FRONTIER

The settlement of the western region brought a new element into Southern society. Upon the lands between the seacoast and the mountains was a plantation society dominated by a planter aristocracy and exercising dominion over both the slaves who worked the land and the poorer whites of the back country whom the slaves had displaced. Supported by staple crops, controlling government through the county courts, parish vestries, and seats in the Assembly and the Council, and giving a nominal support to the Anglican Church, the planters developed an ease and grace of living marked by annual convenings at Williamsburg or Charleston and the dilettante pursuit of culture.

In contrast with the leisurely grace of the Tidewater, the frontier regions were settled by a virile and hardy

race who had little respect for the gentler aspects of planter culture. Faced with hostile nature and treacherous savages and equal in their comparative poverty, the frontiersmen were predisposed to a practical democracy. Their agriculture was devoted to the planting of food crops and they supplemented their diet by hunting game in the forests. In religion they were dissenters, organized into democratic congregations which followed the tenets of Calvinism.

A more fundamental difference between the Tidewater and the frontier was based upon geography. The rivers of the Tidewater pointed out to the sea and to England at the same time that they acted as barriers to inter-colonial co-operation. On the frontier, the Great Valley acted as a highway of communication which ran across the nebulous boundary lines of the separate colonies. The West had geographical unity and constituted a backbone to which the separate ribs of the Tidewater colonies were attached. In but one matter did the East and West see eye to eye. They were united in a desire for western expansion; on all other problems they were in almost constant enmity.

The political structure of the Colonies was heavily weighted in favor of the Tidewater region. The Virginia House of Burgesses was composed of two members from each county, but there were many small counties in the Tidewater and only a few large ones in the West. In addition, three boroughs and the College of William and Mary, all in the East, had representatives. This inequity gave the control of the Assembly to the Tidewater, which imposed taxes which bore with greater weight on small farmers than on great planters. The right to vote was limited to those holding 50 unsettled acres or 25 acres

and a house. The Council was composed of the colony's richest aristocrats. In North Carolina the eastern counties sent five members each to the Assembly while the larger western counties had but two representatives each. The Westerners also complained of the Assembly's dilatory reluctance to establish new counties. The members of the Assembly were required to have 100 acres of land. The Council, as aristocratic as that in the neighboring colony, was completely subservient to the royal governor. South Carolina's frontier had even less voice in its government. There were no upland counties, and the frontiersmen were incorporated in lowland parishes which extended westward to indefinite boundaries beyond the outermost settlements. The settlers of the West had to travel to the seacoast to courts or even to vote. The Commons House had 48 members elected every three years by property holders. A member had to own 500 acres and 10 slaves or have taxable property worth 1,000 pounds. The upcountry settlers protested against these inequalities, but their only relief prior to the Revolution was the establishment of four judicial districts in the West. But this reform was primarily designed to extend the power of the seacoast planters and conferred no rights of participation in the government.

The conflicts between the sections of the Southern colonies were generally confined to the assemblies or to electoral campaigns. In Virginia the common interest of the planters and the frontiersmen in the Western lands prevented conflicts from becoming serious, while the religious leadership which the frontier Presbyterians furnished the people of the back country enabled the frontiersmen to successfully challenge the planter control of



the colony. In 1765 a scandal in the public treasury resulted in the election of frontiersmen to the Burgesses and brought into power the democratic leaders who were to carry the colony into the Revolution. Less easily resolved were the problems in the Carolinas. The corrupt administration of justice by Tidewater parish officials and the exaction of exorbitant fees caused the South Carolina upcountrymen to form associations. Calling themselves "Regulators," the associations defied the power of the colony and resorted to lynch law to break their oppression. The Regulator movement spread to North Carolina, where the sheriffs were especially oppressive. The court officials and tax collectors charged illegal rates and showed an intolerant efficiency in collecting quitrents. The result was an uprising of Regulators in 1766 which continued for several years. In 1770 the court at Hillsborough was broken up by rioters and the judge was prevented from exercising his official duties. With the frontier in arms, Governor Tryon marched against the Regulators and defeated them in the battle of Alamance in 1771. The movement collapsed and a number of Regulators fled from the governor's vengeance to the Watauga settlements, but the frontier seethed in opposition to the governor and to the royal power.

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## CHAPTER V

### THE REVOLUTION IN THE SOUTH

#### 1. BRITISH COLONIAL POLICY

THREE thousand miles of salt water separated England from her colonies in America. The vessels which traversed that dangerous barrier were frail craft, dependent upon the wind and fearful alike of its deathly calm and its stormy fury. Long weeks were required to carry the hopeful settler or the ambitious official from his native heath to his new home. Distance made communication difficult and made impossible an even development in mother country and colonies. Differences in conditions, however, were more significant than the ocean in causing the two lands to grow apart. The conquest of the wilderness, the defeat of the Indians, the production of new and strange crops, and the development of a new system of agricultural production occupied the attention of the Southern colonists at the same time that England was turning from an agricultural into a commercial nation. During 150 years the Southern colonies developed the plantation system, with its tobacco, rice, and indigo, with its Negro slavery and its planter aristocracy. Social stratification came as the planters filled the bottom lands and the later comers and the less acquisitive were crowded into the back country or pushed out to the frontier. Sectional divisions representing economic, social, and political diversity accentuated the rise

of Southern classes, but everywhere in the Southern colonies civilization was based upon the ownership and exploitation of land.

While a landed aristocracy arose in the South, England was witnessing the creation of a commercial aristocracy. The commercial company which had founded Virginia and set the model for the early control of the other American Colonies had many counterparts in seventeenth-century England. The economic device of the joint-stock company enabled men to extract huge profits from trade and stretched far the outer borders of the British Empire. The men who made the empire came to rule it, and Whig aristocrats, flaunting their purchased titles, took over the government of the nation. Wealth gave them control of local election districts, and they filled Parliament with their representatives. William and Mary yielded to the Whig politicians who had brought them to the throne and lent royal encouragement to the commercialists. The German Hanoverians gave little attention to their island kingdom and permitted the Parliamentary majority to dictate a Cabinet which assumed the real power of the Crown.

\* These commercial lords were interested in the expansion of business and looked upon the Colonies with eyes made astigmatic by long gazing on profits. Their economic and political philosophy was summed up in the creed of mercantilism, which had for its essence the search for gold. In the pragmatic philosophy of the mercantilists, each business transaction involved a winner and a loser. He was the winner who emerged from the market place with gold. Therefore, they reasoned, an individual should sell more than he bought in order to show a balance in money, and a nation should obtain a favorable balance

of trade by exporting more than it imported. In this scheme of things, colonies played an important part, for they could produce the raw materials which the mother country needed and could purchase her manufactured surplus which the other nations would not buy. Therefore, the colonies should be restricted in their manufacturing, prevented from competing in commerce, and limited in their trade so that the nation might be prosperous.

In pursuance of this policy, the British Government undertook to regulate American commerce. Beginning in 1651, when the government was in the hands of the rising Puritan business classes, Parliament passed the first of a series of navigation acts limiting the trade of the empire to British-owned ships. Designed to injure the Dutch carrying trade during a war, the principle was continued and in 1660 was extended. The new act "enumerated" certain colonial products which could not be exported outside the empire. Tobacco was the principal Southern product on the enumerated list, and it was singled out because of the revenue which could be obtained from an import duty. The import duty was from one to two and a half times the market value, and increased the price accordingly. As a result, prices declined and Maryland and Virginia planters blamed the government's policy. However, overproduction was perhaps as great a cause of falling prices as the excessive tax. The Navigation Acts gave colonial tobacco a monopoly in the empire which more than offset the loss of the Continental market. The planters nevertheless criticized the government and resented the necessity of shipping their product at the higher protected rates of English-owned vessels. In 1705 rice was put on the enumerated list. South Carolina rice had already entered the markets of the Mediterran-

ean countries, but the enumeration so increased the cost that South Carolina lost her outlets until the law was modified. Later navigation acts proved more irritating than burdensome to the South, but the colonists learned their first lessons in opposing Parliamentary control as they grumbled over restrictions. The New England colonies were much harder hit by the Navigation Acts, and the discontent of their neighbors occasionally echoed through the South. Merchants in Charleston, Savannah, and Norfolk complained of the Acts, and since many planters were merchants on a smaller scale, they too complained of high costs and restricted markets.

In pursuance of its mercantile policy, the British Government regulated colonial manufacturing in order to prevent competition with home industry and to limit the Colonies to the production of raw materials. Although this policy placed little burden upon the staple-producing South, it served as a deterrent to diversification of economic activities. Early efforts at industry, especially iron manufacture in Virginia, proved abortive, but the difficulties in the way of production stopped any efforts to revive the industry. In the interests of the English merchants Parliament attempted to regulate the use of commodity money in the Colonies and refused to permit the Southern colonies to raise the value of their silver coins in relation to the English shilling. Northern colonies, from whom the English Government received less revenue, were permitted to increase the exchange rate, and thereby drew coin from the South.

There were other features of the colonial administration which proved distasteful to the Southern colonies. The royal officials in the colonies received their instructions from the Board of Trade, which was more interested

in English than in colonial problems. The officials seldom understood the viewpoint or the interests of the colonials, and there were resultant constitutional squabbles between governors and assemblies. In general these disputes were over the payment of salaries, the control of the public treasury, the collection of quitrents, or the installation of the established clergy. Yet they were symptoms of a fundamental division between the commercial lords who ruled the empire and the agricultural masters of the colonies.

The French and Indian War marked a new advance in the efforts of the English government to make the Colonies conform to an imperial pattern. At the close of the war, the government found itself with a greatly increased debt and with a growing realization of the necessity for adequate colonial administration. Wartime experience with the colonial militia showed that the undisciplined troops were but frail reeds, while new Indian outbreaks gave proof that a standing army in America was necessary. Moreover, the rising industrial classes of England became more insistent upon a control of colonial raw materials and a monopoly of the colonial markets. Statesmen of the empire sought to solve all difficulties by raising enough revenue in America to maintain a standing army and by improving colonial administration. The first act in this direction was a new Sugar Act passed in 1764 to replace an older Molasses Act of 1733. Although the new act was less restrictive than the old, stricter enforcement caused objection from New England and Southern merchants. On the other hand, a high tariff gave full protection to South Carolina indigo.

The revenues derived from this act were to be used for defending the Colonies, and the ministry determined

to station an army of 10,000 men in the Colonies. Since more money would be needed for their support than could be obtained from the Sugar Act, Parliament passed a Stamp Act. This measure provided that all business documents, newspapers, and legal documents should bear a revenue stamp. As a legitimate tax measure, the new law was well conceived. It constituted a tax upon special privileges and fell upon those best able to bear it. But while it was economically valid, it soon proved to be politically unwise. Newspaper editors and lawyers whose activities were thus singled out for taxation were the most articulate groups in the Colonies. Merchants, less articulate, were nevertheless both burdened and annoyed by the tax. Militia officers who lacked the perspective of the English War Office were vain of their martial powers and denied the necessity for an army in America. And at the moment the Proclamation of 1763 rankled in the acquisitive hearts of land speculators. The result was widespread opposition to the Stamp Act.

In the hands of the lawyers, the colonial objections to taxation became discussions on the nature of the empire. For several years the younger lawyers of the country had been evolving a constitutional rationalization for colonial discontent. In 1761 James Otis in Massachusetts, arguing against writs of assistance, had declared that an act of Parliament was contrary to the English Constitution. In 1763 Patrick Henry harangued a Virginia jury with a vitriolic denial of the right of the Privy Council to disallow a colonial law. The case was the Parsons Cause, growing out of a law permitting vestries to pay ministers' salaries, usually provided for in tobacco, at two pence a pound in lieu of tobacco. The act was evidence that the control of Virginia had passed



from the hands of the Anglican planters to the dissenting population of the back country and the frontier. The Privy Council disallowed the law, and the ministers brought suit. Henry declared the Crown's action tyrannical and illegal, and the jury granted the ministers one penny in damages. From this time Henry was the leader of the radical element in Virginia.

When news of the Stamp Act arrived in Virginia, Henry arose in the Assembly to present resolutions embodying the colonial position. The settlers of Virginia, declared the Virginia Resolves, had been given by two royal charters "All the liberties, privileges, franchises, and immunities, that have at any time been held, enjoyed, and possessed, by the people of Great Britain." The "distinguishing characteristic" of British freedom was the people's right to be taxed by their own representatives. The colony of Virginia had not yielded its right, and the sole authority to levy taxes in the colony was vested in the General Assembly. The people were not obliged to pay taxes levied by any other body, and tax collectors of the British Government were to be considered enemies. Speaking on his resolutions, which were more extreme than those adopted, Henry verged upon treason when he exclaimed that Caesar had his Brutus, Charles the First, his Cromwell, and some American might still rise to oppose George the Third. Rebuked by the Speaker, Henry apologized to the house by attributing his intemperate remarks to his zeal for his country's dying liberty.

The Virginia Resolves were published in the newspapers and sent to the other colonial assemblies. The Massachusetts General Court proposed an intercolonial Congress to formulate the American position, and the South-

ern colonies elected delegates. Meantime, the first stamps arrived in the Colonies. Stamp collectors were hanged in effigy in Charleston, Wilmington, and Williamsburg, and a ship carrying a stamp agent was forced to leave the South Carolina port. Houses suspected of harboring stamp agents or containing stamps were attacked by mobs. As the day approached when the stamps were to go on sale, the South Carolina *Gazette* announced that most public business would cease and that the paper would suspend publication. In November the South Carolina Chief Justice found his court without business and unable to proceed without stamps.

October 3, 1765, the Stamp Act Congress assembled in New York, but South Carolina and Maryland were the only Southern colonies represented. In the Congress Christopher Gadsden, Charleston merchant and planter, declared that the colonial protest should be based upon the natural rights of man, including that of revolution, rather than upon the terms of the charters. He opposed a petition to the Parliament on the ground that Parliament was not the author of colonial rights. The Stamp Act Congress passed resolutions basing their case upon the right of Englishmen not to be taxed without their consent. The Congress advised bringing pressure on Parliament, and this soon had its effect. London merchants, faced with a loss of business, joined with the colonials in urging repeal of the Stamp Act. Early in 1766 the House of Commons yielded but passed a Declaratory Act asserting the control of Crown and Parliament over the Colonies.

In the general rejoicing in America this threat for the future was almost lost from sight, but in Charleston Christopher Gadsden was fully aware of the continued

danger. He organized and supported a group of artisans and mechanics who kept up a continual agitation against the Crown. In other colonies the Sons of Liberty, an outgrowth of the Stamp Act mobs, kept up their organization and united the lower classes against the royal governments and Parliamentary authority.

During the discussion of the Stamp Act, the colonials had made a distinction between internal and external taxation and had admitted that Parliament possessed the right to levy "external" taxes to regulate the commerce of the empire. Basing their acts upon this nebulous distinction, a new ministry soon provided for a new series of taxes. These taxes (known as the Townshend Acts) were to be collected as customs duties and used not only to defray the expenses of the American army but also to pay the salaries of royal officials in the Colonies. At the same time Parliament suspended the New York Assembly because it had not provided for quartering English troops.

Immediate reaction followed in all the Colonies. Charles C. Pinckney and John Rutledge wrote against the new acts and denied that Parliament could lay any taxes upon the Colonies. Early in 1768 the Massachusetts House of Representatives sent a circular letter to the other Assemblies declaring their loyalty to the King but denying Parliament's constitutional right to levy a tax. The Virginia House of Burgesses adopted resolutions affirming the exclusive rights of the Assemblies to tax the Colonies. In a letter transmitting these resolutions to the other Colonies, the Virginians protested their loyalty and urged the Colonies to unite in defense of their constitutional rights. When Massachusetts refused to rescind her letter at the demand of the British Govern-

ment, the recalcitrant members of the General Court were toasted on the streets of Charleston. A new election in South Carolina resulted in increasing strength for the mechanics, and the Governor failed to prevent a new Assembly from replying to the Massachusetts circular letter.

Colonial economic pressure again brought relief from taxation. Non-importation agreements were signed by the merchants and planters of Virginia and the Carolinas as well as by importers of Maryland. Trade with England immediately declined, and in April, 1770, the Townshend Acts were repealed with the exception of a tax on tea. The colonists objected to this measure, but there was relative quiet for several years. In the interval, the Sons of Liberty continued their organization and radical agitators opposed to Great Britain continued their work. In 1773 Parliament, primarily for the benefit of the East India Company, remitted a re-exportation tax in England. The company planned to distribute its tea through local agents who were able to sell at a lower price than the colonial merchants. The prospect seemed to the American merchants but the entering wedge for a far-flung monopoly. When a ship bearing the tea entered Charleston harbor, a mass meeting of the citizens resolved that the tea should not be landed or sold. The governor, fearing the popular wrath, ordered the tea landed and stored under bond. In November, 1774, tea was dumped from a British vessel. At Annapolis a mob burned a ship which attempted to land tea.

More famous than these earlier acts, the "Boston Tea Party" served to bring upon the colony of Massachusetts the full fury of British authority. Determined to force colonial compliance, Parliament passed a series of "In-

tolerable Acts" which closed the port of Boston, remodeled the Massachusetts Charter, and provided that Crown appeals should be tried in England and that army officers might commandeer unoccupied buildings when needed for quartering troops. These acts aroused the indignation of Southern colonists who felt the danger which threatened their own local governments. More mass meetings were held, more resolutions passed, and the Southerners prepared to co-operate in a Continental Congress in formulating the colonial position.

## 2. OVERTHROWING THE ROYAL GOVERNMENTS

Throughout the American Colonies men divided in their attitude toward recent British policy along social and economic lines. Conservatives were in favor of remaining within the empire and submitting to Parliamentary enactments, while radicals sought both the overthrow of the colonial aristocracy and independence from England. In the Southern colonies, the royal officials, the majority of the established clergy, and many men of property were loyalists. In the ranks of the radicals were to be found many classes. The Scotch-Irish of the frontier and the people of the back country were opposed to the land policy of the Crown, were resentful at the imperial Indian policy, and were consistent opponents of the royal officials. They did not wish to pay quitrents or taxes for the support of the established church. They suffered from the lack of courts and the erratic administration of justice. At the same time, they resented their lack of political power, the property requirements for suffrage, and the inequities of representation in the assemblies. As democrats they were the

natural enemies of the wealthy Tidewater and low-country planters.

This frontier element furnished the backbone of the patriot party in the South, but allied to them were a number of others. The merchants of the Southern ports, with the exception of some from Charleston, were one in feeling with the business interests of New England and the middle colonies, and co-operated, albeit half-heartedly, with the radicals. The ministers and congregations of dissenting churches were opposed to establishment of the Church of England. Young lawyers, especially those from South Carolina who had been trained in England, were jealous of the Crown officials and ambitious to take a prominent place in civil affairs. But the most important allies of the radical elements were the planters.

The Southern planters were closely associated with the mother country. They imitated the landed gentry of England in their social customs, manner, and tastes.<sup>o</sup> The sons of leading families were educated in England, and the fathers were communicants of the Anglican Church. Yet the planters were supporters of the Revolution.

Among the causes which contributed to planter disaffection was the long history of constitutional conflicts between the Crown officials, especially the royal governors, and the people. In each of the colonies the exercise of a suspensory veto by the governors had led to clashes. In Virginia the governor suspended 75 laws in the six years between 1767 and 1773, while in the entire period before that time less than 60 laws had been challenged. To the Virginia planters, this increased interference in their legislation was but part of a great plan to reduce the colonists to slavery. The tax on tea seemed but another step in the general direction of tyranny and

caused the planters to give their support and sympathy to the merchants' objections. In North Carolina the executive and the Assembly were in almost constant conflict over quitrents, fees, and expenditures from the colonial treasury. Governor Martin refused to accept the repeal of excise and poll taxes in 1772, and the resulting conflict brought a deadlock which was not settled until Martin was in flight from his capital. There were struggles as well over the control of the judiciary and overrepresentation in the legislature. In South Carolina similar troubles kept the planters suspicious of the imperial agents.

In addition to constitutional considerations, there were two economic conditions which separated the planters from the Crown. Taxpaying planters objected to the management of public finance. Quitrents, poll taxes, and custom duties constituted the main sources of colonial revenue. In Virginia the money from quitrents and customs was at the disposal of the governor, and any surplus went into the royal treasury. The Assembly, relying mainly on the poll tax, had to derive new taxes to meet deficits. Moreover, the rapid payment of the debt and the contraction of paper currency following the French and Indian War brought hardship. At the same time, an adverse balance of trade drained bullion from the colony and aided in producing a depression. The planters joined with the back-country radicals in a demand for more paper money. This bad condition of public finance was paralleled by an equally depressing situation in private business. The Virginia planters were heavily indebted to Englishmen. These debts were hereditary, being handed down from father to son "so that the planters were a species of property annexed to certain mercantile houses

in London." Jefferson estimated that over two million pounds were owed by the Virginia planters to British merchants. After the Revolution, a group of merchants claimed £2,304,408 from Southerners. The only hope for relief from the pressing burden of debts was complete repudiation. Before the actual outbreak of the Revolution, Jefferson and Henry proposed that all payments on debts to Britons should cease. Although the measure did not pass, the promise involved brought many debt-ridden planters to the patriot ranks. During the war, the Assembly assumed the debts, permitting the planters to pay depreciated colonial currency into the State treasury. Much later, when Jefferson was President of the United States, these debts were assumed by the National Government.

The depressing nature of public finance and the mounting volume of debts forced the Virginia planter to look to the West for escape. The exhausting agriculture of staple crops and the modifications of slave labor made expansion necessary. Virginia blood and money had saved the region from the French, and the planters could see no reason in the restrictive policy of the British Government. They had resented the Proclamation line but they had pinned their hopes upon the promises that it would be but a temporary expedient. While waiting for a change of policy, they had made treaties with the Indians, formed land companies, and petitioned the Crown. In 1774, at the same time that the "Intolerable Acts" were passed, the "Quebec Act" added the territory north of the Ohio River and east of the Mississippi to the Province of Quebec. The French laws of Quebec extended to the new territory, and the Catholic Church was recognized and its clergy permitted to collect tithes. The act placed the government



of the province in the hands of royal officials and made no provision for a popular assembly. Jury trial would not exist under French law. To the land-speculating planters the Quebec Act was the death blow of their hopes. There would be no settlement in a region where the Catholic Church was strong and where there was no participation in the government. The planters lumped the Quebec Act with the "Intolerable Acts" and read therein a British determination to end colonial liberty.

With debts pressing and hopes of recuperation by land speculation fading, the planters joined the Revolutionary cause. Only Georgia, which was still dependent upon British protection against the Indians, failed to send delegates to the First Continental Congress. In South Carolina a convention duly elected by the parishes but dominated by the radicals of Charleston passed resolutions denying that taxes could be levied without the people's consent, condemning the alarming nature of the "Intolerable Acts," and declaring in favor of a congress. Five delegates were selected to attend the congress "to consent, agree to, and effectually prosecute such legal measures as . . . should be most likely to obtain a repeal of the late acts of Parliament and a redress of American grievances." Conservatives feared lest the congress should take action leading to independence. Virginia sent her radical leaders, Henry and Jefferson, together with Washington and Peyton Randolph, to the congress.

In the First Continental Congress, Randolph was made President, and the Virginians joined with the radical delegates of Massachusetts against the conservatism of many of the delegates. The Congress adopted a petition to the King and drafted a non-intercourse agreement, called the Continental Association. The members agreed on behalf

of their constituents not to import English goods after the following December. The members had no authority to bind their constituents, but the Congress provided for local committees to obtain compliance. In fact, the Association had the force of law, and committees of safety in the Colonies enforced the law against reluctant importers. The enactment of a law and the creation of the machinery for its execution was the first act in the Revolution. The Congress agreed to call a second Congress to meet in May, 1775.

In the meantime the royal governments in all the colonies were coming to an end. The assemblies of the Southern colonies were in the hands of the radicals, and all had had experience in conflicts with the governors. As early as 1769 the Virginia Burgesses had met in a private house after being dissolved by the governor. In 1773, Governor Dunmore dissolved the Assembly because it had appointed a committee of correspondence. The following May, when news of the Boston Port Act arrived in Williamsburg, Jefferson, Henry, and R. H. Lee persuaded the Burgesses to proclaim a day of fasting and prayer. Lord Dunmore promptly dismissed the Assembly. But the Burgesses moved in a body to the Raleigh tavern, where they continued their session. Shortly after they adjourned, Speaker Peyton Randolph called a special session for August 1, 1774. This body constituted itself a provincial convention, and the Revolution in Virginia began.

In Maryland, revolutionary proceedings followed closely upon the arrival of news of the Boston Port Act. Mass meetings in Baltimore and Annapolis chose committees of correspondence. The Baltimore meeting called for a colonial congress from all the counties, and 92 delegates

organized a provincial convention at Annapolis on June 22, 1774.

In March, 1774, the governor of North Carolina dismissed the Assembly in a quarrel over taxation and the judicial systems. When he announced that he would not recall them, the Assemblymen asserted that the people would meet in convention. John Harvey, Speaker of the House, and a few radicals called for a provincial convention, which assembled at New Bern on August 25, 1774.

South Carolina's conservatives took part in the overthrow of its royal government, although the mechanics of Charleston had already perfected an organization. The conservatives controlled a "General Committee," which late in 1774 called for a general election. The country was divided into electoral districts in such a manner that the low country had control. The elections were so conducted that "gentlemen" controlled the provincial congress and Scotch-Irish and Germans were excluded. On January 11, 1775, the congress assembled and proceeded to set up a government for the colony. A "General Committee," controlled by Charlestonians, was set up, and local committees were placed in charge of the parishes. The congress presented the people's grievances to Lieutenant-Governor Bull, who refused to receive them.

Only Georgia, lagging far behind her sisters, was not aroused to action in 1774. There were but 17,000 whites in the colony, and there was little feeling of resentment against England. The planters received bounties for silk and indigo, and were protected against the Indians on the frontier and the Spanish on the southern border. There were radicals in the colony, however, some of whom had been in the inevitable conflicts between the executive and

the Assembly. In July, 1774, these radicals called a meeting to denounce the Boston Port Bill, but chose no delegates to the Continental Congress. While the other colonies were taking steps to establish revolutionary governments, Georgia was quiet.

Having effected revolutionary governments, the patriots completed their organization through the work of committees of safety. Such committees, acting sometimes as vigilance committees, seized control of local government and forced compliance with the Association. Moreover, the local committees organized and armed militia companies. Everywhere the royal authority was undermined and government passed into the hands of the committees of safety and the provincial conventions. The result of non-importation was soon felt in England, and the colonists learned that this time there would be no yielding to colonial demands. Clashes of arms were inevitable, and Patrick Henry urged the creation of a colonial militia and preparations for war. Declaring that the next breeze that blew from the North would bring news of war, Henry expressed a fervid preference for liberty and death over chains and slavery. His prediction was soon confirmed. On April 19 the war began at Concord and Lexington, and by the time that the Second Continental Congress assembled, actual war was in progress.

The day after the battle in Massachusetts, Lord Dunmore seized powder which had been stored in Williamsburg. Virginia's radicals were immediately aroused and the militia threatened to march on the capital. Early in May Patrick Henry, at the head of several thousand men, forced Dunmore to pay for the powder. On June 1, the Assembly met again and approved of the acts of the provincial convention. Dunmore began to fear for his

safety and took refuge on a British war vessel. In North Carolina Governor Martin called the Assembly to meet at New Bern on March 29, 1775, and John Harvey called the provincial congress to meet at the same place on April 3. The membership of the two bodies was largely identical, and when both bodies organized on the same day, in the same room, Martin dissolved the Assembly. The local vigilance committee stole the cannon which Martin had placed before his house, and the governor fled to Wilmington for safety. In the other colonies the governors remained in their places until after Bunker Hill, but their authority was gone. The Colonies had already begun to send troops to the Continental armies.

The Second Continental Congress, composed of delegates selected by these revolutionary bodies, found a war already begun before it assembled. The current of events was moving conservatives to act with the radicals. George Washington was chosen to command the Continental forces and left the Congress to take charge of the war. The Congress appealed to the Colonies for arms, men, and money and assumed the functions of government.

The overthrow of the governors in the other colonies produced a belated reaction in Georgia. The mass meeting of January, 1775, had resulted in the creation of a provincial congress, but there had been no support for the movement. But when war began, Georgia's radicals seized control. They seized powder from the royal magazine, began to enforce the Association against the loud protests of the Savannah merchants, and called for a new provincial congress. The Congress assembled July 4, 1775, and Georgia co-operated with the other colonies in the Revolution.

## 3. THE SOUTHERN STATES IN THE REVOLUTION

The provisional governments which had overthrown the older authorities ruled the Southern colonies until the sentiment for complete independence matured. In all the Colonies the committees of safety made adherence to the Association the test of loyalty. In South Carolina, where conservatives still had a voice in the provincial congress, an effort was made to modify the enforcement of its rulings. But everywhere the activities of the patriot committees drove deeper the wedge between the parts of the empire and prepared the way for independence. The spirit of the radicals was shown in North Carolina by the Mecklenburg Resolves, drafted by the assembled militia at Charlotte on May 31, 1775, which declared that governmental powers had been transferred to the provincial congress. The militia recommended the formation of a new government, and the provincial congress drafted a temporary constitution. The colony was divided into six military districts, over each of which was to be a committee of thirteen. The provincial council was to supervise the work of the district committees. Similar organizations bringing centralization of county activities and establishing executive committees began work in the other colonies.

These early governments were drawn up in haste and revealed that the sponsors of the Revolution had not yet clarified all of their aims. Perhaps their most serious and far-reaching feature was their failure to provide for complete democracy or to remove the inequalities of representation. In the moment of stress, men had little time to formulate new systems of government, and they revealed a tendency to adapt older and well-known institutions to

new needs. Thus, they retained the property qualifications for the suffrage and failed to give populous western counties proportional representation. In Virginia 24 acres, in Maryland 50 acres, and in North Carolina a settled freehold were required for the suffrage. South Carolina's provincial congress was composed of 144 delegates from the more populous upcountry.

Under these governments the Colonies progressed toward independence. The spread of the war from Boston to the South moved the Southern colonies to break away from England. Virginia placed her militia under Patrick Henry's command, and Henry fought against Dunmore, who had established himself at Norfolk. At Great Bridge the Virginia militia won a victory. In Georgia the British attacked Savannah, and in the back country of the Carolinas the Tories were in arms. In February, 1776, the North Carolina patriots defeated loyalists at Moore's Creek. These military events set the stage for independence and convinced the doubting that England would not make peace without victory. The provincial congresses of Virginia and South Carolina asked the Continental Congress for instructions and were advised to form state constitutions. Before the Declaration of Independence was drafted, the States had begun to draft permanent governments. Meantime they instructed their delegates in Philadelphia to move for independence. In Congress, Virginia's Richard Henry Lee offered resolutions that the Colonies were "and ought to be free and independent states." July 2, 1776, the Congress received a committee report drafted by the skilled hand of Thomas Jefferson. The Declaration of Independence placed all the Colonies under the necessity of adopting permanent constitutions.

In the South, the constitutions were drawn up by the provincial conventions, usually after special elections had been held. Conservatives and radicals divided on the nature of the governments, and each side resorted to pamphlets. In Virginia Lee, Henry, and Jefferson favored democracy while the aristocrats were in favor of a government with a popularly elected lower house, an upper house of 24 members chosen for life by the lower house, and full power of appointment of judges and military and civil officers in the hands of a governor.

The early constitutions contained many of the features of the colonial governments. In each there was a governor, a bicameral legislature, and a system of courts. Their difference lay in the allotment of power to these branches. In North Carolina, democracy went to an extreme and denied the annually elected governor all power except, in the words of one framer of the document, "to sign a receipt for his salary." He could not even call the legislature in special session. Judges were elected but retained office only during good behavior. Religious freedom was guaranteed, and any freeholder could vote for senators while all adult freemen could vote for members of the assembly. The property requirements for office-holding were low. In Virginia a sharp fight between conservatives and radicals resulted in a constitution which gave the governor little power and surrounded him with a council. The legislature, consisting of two members from each county, was still elected by those who owned 50 acres. The senate was chosen by popular vote in 12 districts. The lower house had most power with exclusive right to originate money bills and the right to choose judges and other civil officers. In Maryland the conservatives had control of the congresses which drafted the



constitutions. Maryland's constitution provided for a system of indirect election for the senate—a provision which furnished the basis for the electoral college of the United States Constitution. Voters were required to have £30 or 50 acres, senators had to have £1,000 worth of property, members of the house £500, and the governor £5,000. South Carolina's constitution, adopted by the provincial congress in March, 1776, provided for a legislative council and a general assembly. The 202 members of the assembly were elected biennially from 28 districts, and the 13 members of the council were chosen from the membership of the lower house. The lower house had the right to initiate money bills. There was no governor, but a president and a vice-president were elected by the legislature. A privy council composed of the vice-president and three members of each house advised the president.

The Virginia and North Carolina constitutions contained bills of rights, and only Virginia was without some religious test for officeholders. The great amount of power given to the legislatures caused some of the radicals to fear a popular tyranny. Jefferson declared that the Virginia legislators might become 173 despots, and Madison said that such a concentration of power "may justly be pronounced the very definition of tyranny." The greatest defect in the Southern constitutions, however, was the unequal representation of the western regions. When the Revolutionary War was over, the old aristocracy of Tidewater and low-country planters was still in control. The new governments failed to accomplish the social revolution which the radicals of back country and frontier had desired.

Under these constitutions the Southern States conducted the Revolutionary War. In the midst of the war,

the divisions between radicals and conservatives, between coastal plain and mountain appeared in local politics to bear promise of future troubles. In Maryland the conservative senate, representing the propertied classes, was in almost constant conflict with the democratic house. They quarrelled when the senate refused to raise the pay of legislators and again when the senators opposed measures to punish Tories. The governors were as conservative as the senators, representing property rather than the populace, and were usually found to be in opposition to radical social reforms.

In Virginia the same division was equally pronounced but the conservative forces did not have complete control of a single branch of the government. The radicals had a far-reaching social program, to which the aristocratic planters were heartily opposed. The leader of the radicals was Patrick Henry, who was elected governor in 1776, taking office the day after the Declaration of Independence was approved. Unfortunately for the radicals, the cares of office and his natural indolence prevented his carrying out the liberal program, and Jefferson assumed headship of the radicals. Jefferson preferred to remain in Virginia rather than go to congress, because he wished to adapt the whole Virginia system "to our republican form of government." His program contemplated a revision of the law and of the courts, the abolition of primogeniture and of entail, and the disestablishment of the church. The conservatives immediately rallied behind Edmund Pendleton, Speaker of the House. Although he gained the enmity of the aristocrats and the clergy and was roundly castigated as an atheist and infidel, Jefferson succeeded in forcing the abandonment of entail and the suppression of church taxes. In 1779 Jefferson succeeded Henry as gov-

ernor and the reforms stopped, partly because Jefferson could no longer lead them through the Assembly and partly because of the British invasion, which drove the government from Williamsburg to Charlottesville and finally to Staunton. Jefferson's successor, Thomas Nelson, was a conservative, and in 1782 Patrick Henry, now thoroughly alarmed at radical excesses, returned to the governorship.

In North Carolina the radicals were in control of the State. The two conservative sections of Edenton, just south of the Virginia line, and the Cape Fear region furnished a number of leaders, such as Samuel Johnson, James Iredell, William Hooper, and Archibald Maclaine, but they were unable to make headway against the western radicals. Thomas Person, John Penn, Willie Jones, and Thomas Burke led the democratic forces. They were more interested in low taxes and in freedom than in the effective prosecution of the war. The governor was destitute of power and could not even call the legislature in session to prepare for a British invasion. The legislature did little throughout the war either to promote the military or to insure the continuance of the social revolution which the new constitution had effected.

In contrast to her northern neighbor, South Carolina was controlled by the conservative planters and merchants. John Rutledge, aristocratic planter and business man, was chosen the first "president." Opposing him was Christopher Gadsden, long a leader of the mechanics of Charleston and of the underprivileged classes of the up-country. The radicals demanded revision of the State constitution and in 1778 forced a new document through the legislature. But the aristocrats retained control of the government. When the British invaded the State, the leg-

islature placed dictatorial power in Governor Rutledge's hands. The British took Charleston and practically stamped out rebellion in the State. Until the British withdrew, civil government was virtually suspended.

Georgia's conservatives and radicals followed the same pattern as in the other States. After Button Gwinnet, the second governor, was killed in a duel with a conservative, the radical strength grew. In 1778 Savannah fell to the British, and the government fled to Augusta. But the British drove them from the temporary capital. After the enemy abandoned Augusta, the conservatives attempted to seize control and for a time there were two governors in the State. The patriot cause was reduced to a few guerilla bands until after the British marched northward into South Carolina.

In all of these States the Revolution brought extensive changes in the organization of society. The Anglican Church was disestablished without difficulty in Maryland. In Virginia the movement against the church proceeded more slowly and succeeded only after a bitter fight. The dissenters were in a majority in the state, but the Tidewater planters who controlled the legislature were Episcopalians. Jefferson's early efforts to break the establishment resulted only in a suspension of financial support. The churchmen attempted to have all churches supported by the State and were almost successful. Not until 1785 was Jefferson's Statute for Religious Freedom adopted by the legislature. In North Carolina the establishment disappeared when the Tory clergy were driven from their parishes, but in South Carolina the church held on until the Constitution was modified in 1778. In 1777 the church lost State support in Georgia.

Other evidences of the radical desire for social reform

appeared in the abolition of primogeniture and entail and in efforts to abolish slavery. Virginia's radical leaders were opposed to slavery, and the colony had attempted to abolish the slave trade before the Revolution. In 1778 Jefferson obtained an enactment to stop the importation of slaves. North Carolina imposed a tax on imported slaves, and temporary acts prohibiting importation were passed in South Carolina. Only Virginia, however, would consider the abolition of slavery, and even there only the more extreme radicals countenanced such a proposal. The leading Virginians were convinced, however, that slavery was a dying institution, and many were willing to wait for time and economics to effect its extinction.

In their relations to the Continental Congress the Southern States showed that they were more intent upon local than upon national problems. Although Patrick Henry had early proclaimed that colonial lines had disappeared and that he had been transformed from a Virginian into an American, the Southerners were not able to divest themselves of their provincialism. Henry's own Americanism was more oratorical than practical, and he rapidly lost sight of national interests as he devoted himself to local politics. This Southern provincialism resulted in the crippling of the Nation's finances and thereby prolonged the war. Congress made requisitions on the States, but the States seldom took steps to comply with the requests. Congress first issued paper money, which it asked the States to redeem; but the credit of the States was low, and the money quickly depreciated in value. Then Congress asked for direct gifts of money. Between 1779 and 1781 Congress received \$278,000 from Virginia, \$116,000 from Maryland, and \$73,000 from North Carolina. According to Alexander Hamilton, all of the Southern States

contributed \$3,751,252 to the Congress while Congress paid to the States \$3,775,049. Since this brought little benefit, Congress requested the States to furnish requisitions in kind. This system was both cumbersome and extravagant and was abandoned. The States were also negligent in furnishing soldiers. Militiamen were frequently sent to Washington's army, but their terms were short and they were seldom of value. Georgia raised a total of 13,000 for the army and Virginia 51,000. The entire South raised 149,658 troops in the years from 1775 to 1783.

The finances of the Southern States during the Revolution were chaotic. Paper money, forbidden by Parliament during the colonial period, issued in floods. Maryland and South Carolina, where the conservatives were in a position to check radical excesses, issued \$950,000 and \$1,250,000, respectively, while radical Virginia turned \$125,941,000 off the printing presses and democratic North Carolina issued \$34,575,000. Taxation supplemented these worthless issues. Virginia shifted from a poll tax to a land tax as her principal source of revenue, but also taxed live stock, slaves, licenses, and income. The other States imposed similar taxes, but none of these were collected. The constant depreciation of the paper currency added to the confusion, and by the end of the war the Southern States were practically bankrupt.

#### 4. THE WAR IN THE SOUTH

While the Southern States were working out their political organization, they were also the scenes of military activities. The South had many Loyalists, and in some places they attempted to rise against the patriots. The

British co-operated with the Tories of the Carolinas by sending ships to Wilmington and Charleston. The patriots, however, met the Tories at the battle of Moore's Creek, North Carolina, in February, 1776, before the British fleet arrived in near-by Wilmington. Realizing the hopelessness of victory in the northern colony, the British captain moved on to South Carolina, where the militia prevented his landing.

Along the frontier there were more troubles. Under British influence the Cherokees began raids against the Watauga settlements. The settlers, warned of their danger, held off the Indians until expeditions from Virginia and North and South Carolina arrived. Carolinians and Virginians pushed the war into the enemy country, destroyed the principal villages of the Cherokees, and brought the warriors to terms. The Watauga region was saved, but the Kentucky settlements were frequently raided by Indians from north of the Ohio.

The Ohio Valley was overrun by Indians who were encouraged by the British governor, Henry Hamilton, the "Hair Buyer." In 1778 Patrick Henry commissioned George Rogers Clark to raise men and attack the British forts in the Illinois country. Raising his troops along the Virginia frontier, Clark set forth down the Ohio and made his way to the French town of Kaskaskia. Learning that France had joined the Americans against England, the inhabitants welcomed the Virginia forces. Soon afterward Clark took Vincennes and guaranteed religious freedom to the French settlers. In December Hamilton returned with a larger force and recaptured Vincennes, but he soon sent his men away. Learning of this, Clark led his troops through swamps, flooded roads, and trackless wilderness to the attack. Although faced with starvation,

Clark's 170 men plunged on until, on February 24, 1779, they invested the fort. Hamilton was captured and sent to Virginia. The expedition brought the region under Virginia's control and confirmed her old charter claims to possess the West.

Late in the year 1778 the British changed the area of the war from the North to the South. The fortunes of war had given the Americans victory in campaigns in New England and the Middle States, but the British expected aid from the back-country Loyalists of the South. The plan of campaign contemplated a beginning in Georgia and a northward advance which would roll up the South.

Savannah was captured in December, 1778, and became a base for operations toward the interior. Before summer the British were in possession of most of the State, while the patriot government, split into factions, was in hiding. Washington sent General Benjamin Lincoln to take control in the South. In October Lincoln from the land and the French fleet from the sea succeeded in driving the British from Savannah. Quarrels between the French and the American commanders resulted in Admiral d'Estaing withdrawing from Savannah. General Sir Henry Clinton then came South with 7,000 men and besieged Lincoln in Charleston. In May, 1780, Lincoln surrendered and both South Carolina and Georgia were overrun by the British. After Colonel Tarleton cut to pieces and massacred the force of Colonel Abraham Buford at Waxhaws, only guerilla bands represented the American cause in South Carolina. Sumter, Marion, Pickens, and other leaders plagued the British but had no appreciable effect on the invader. In June, 1780, Clinton turned the command over to Lord Cornwallis and went back to New York.

Against Cornwallis's 5,000 men, Congress sent, contrary



to Washington's advice, General H. Gates with 3,000 men. In August Gates attacked Camden, South Carolina, and was badly defeated with a loss of 2,000 of his troops. Gates fled precipitously from the scene. In December he was replaced by General Nathaniel Greene.

After the battle of Camden, Cornwallis advanced into North Carolina, stopping at Charlotte while Major Ferguson with a force of Tories raided the western part of the State. As the news of Ferguson's approach reached the Watauga country, the settlers banded together and marched eastward to meet him. Militia from North and South Carolina joined the frontiersmen and forced Ferguson to fall back toward Charlotte. On October 7 the Americans caught the retreating major at King's Mountain and fought a sharp battle in which Ferguson was killed and 700 of his troops captured. The battle forced Cornwallis to give up his advance and to fall back into South Carolina.

When Green took command of the American forces, he had but 2,300 men. Six hundred of these were sent into the West to gather recruits while Greene held off Cornwallis. The British commander sent Tarleton after the recruiting squad and marched his own army between the divided Americans. At the battle of Cowpens Tarleton was defeated, but Cornwallis was between the patriot forces. Both branches of the American army fell back into North Carolina, and Cornwallis moved forward in order to keep between them. A second battle at Cowpens enabled the western wing to escape and fall back towards the other wing. Rising rivers which slowed up Cornwallis enabled the Americans to unite at Guilford Court House, North Carolina. Joined by militia from North Carolina and Virginia, Green attacked Cornwallis on March 15, 1781.

Defeated in battle, Green held his men together and Cornwallis marched toward Wilmington. Greene then turned to South Carolina and succeeded in clearing the State and driving the British back into Charleston. Meantime a similar movement in Georgia resulted in cooping up the enemy in Savannah.

While Greene was pushing the British back in South Carolina, Cornwallis led his army into Virginia, where Benedict Arnold, using Portsmouth as a base of operations, had been raiding the Tidewater at will. The legislature and Governor Jefferson had retired from Richmond to Charlottesville. Cornwallis took command of Arnold's troops and sent Tarleton to drive the government from its retreat. Commanding in Virginia was Lafayette, who abandoned Richmond as Cornwallis approached. Tarleton almost succeeded in capturing Jefferson. After finding that Lafayette was elusive and would not fight, Cornwallis took his 7,000 troops to Yorktown.

In late summer the French admiral, Count De Grasse, offered his services to Washington. The American commander requested him to besiege Yorktown from the sea. Then, leaving a handful of men to guard Clinton in New York, Washington led 6,000 men to Virginia. French troops numbering 7,800 joined the Americans and began a siege of Yorktown on September 2, 1781. On October 17 Cornwallis accepted Washington's terms for a surrender of his troops. With the largest British force gone, the military phase of the Revolution ended. Wilmington was abandoned by the British in January, Savannah in July, and Charleston in December. In March the British Government decided to make peace, and by November English and American commissioners had negotiated the Treaty of Paris, which recognized American independence.

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## CHAPTER VI

# THE SOUTH UNDER THE CONFEDERATION

### 1. THE ARTICLES OF CONFEDERATION

**I**MMEDIATELY after the Continental Congress had adopted the Declaration of Independence, it began to discuss a structure of government for the new nation. Throughout the years preceding the outbreak of war, there had been many proposals for uniting the Colonies. Some of the plans were drafted by conservatives and looked to a firmer union with England; others reflected the governmental ideas of the liberals, who sought practical independence. When the war began and the Declaration of Independence was adopted, the radicals were in control. The government which they evolved was designed to give constitutional form to the philosophy of the Declaration of Independence.

The Declaration, drafted by Thomas Jefferson, was the expression of Southern radicals. Its assertion that all men were created equal and endowed with natural right to life, liberty, and the pursuit of happiness was a product of the democratic ideas of Virginia's back country and frontier. "To secure these rights, governments are instituted among men," declared Virginia's Revolutionary philosopher, who had ousted "property" from its accustomed place beside "life" and "liberty" and enshrined "the pursuit of happiness" in his political trinity. The men who made the Articles of Confederation were more con-

cerned with protecting equality and insuring freedom than they were with upholding wealth. In accordance with the radical concept that the best government was that which governed least, the Articles of Confederation limited the powers of the National Government and interfered as little as possible with the independent States. Remembering, as the States had done, the obstructive course of the royal governors, the Articles provided for no executive. Such power as was allotted to the central government was entrusted to the Congress, composed of representatives of the States. Each State, regardless of size, power, or wealth, was given a single vote. The members of Congress were to be less lawmakers than ambassadors of the States by whom they were appointed and paid and to whom they were responsible. The States, being close to the people, retained their powers, and Congress was allowed to deal only with such matters as might for convenience be safely delegated. Congress was given power over foreign affairs, might conduct war, and might control the postal service. It might regulate the value of coins, standardize weights and measures, and control Indian affairs. The consent of nine States was necessary to pass important measures, and unanimous consent was needed to amend the Articles.

The Articles of Confederation were debated intermittently from June to November, 1776. In the midst of the discussion, disputes which involved the South arose to trouble the Congressmen. Congress was not authorized to levy taxes, but it might make requisitions on the States in proportion to population. Southern members protested that slaves should not be counted as citizens in apportioning such demands. South Carolina delegates declared that they were comparable to land or live stock,

while John Adams, of Massachusetts, held that slaves produced wealth and were therefore parts of the population. The final solution was to base requisitions on the occupied land in each State. South Carolina and Georgia delegates clashed upon granting Congress power to regulate trade with the Indians. Georgians had relied upon the British Government for protection and now felt the need for a central control; while South Carolinians, safely removed from the danger of attacks, wanted a free hand in exploiting the savages. The Congress received power to deal with Indians, but each State retained a right to legislate on the subject.

With final approval by Congress, the Articles of Confederation were sent to the States for ratification. Immediately there was opposition from the States. Most serious was that which came from Maryland, where members of the old Illinois and Wabash Companies, now combined, saw an opportunity to prevent ratification until the land claims of the company had been recognized. In Maryland's Provincial Convention in 1776, resolutions condemning Virginia's extensive claim to Western lands were passed, and it was asserted that "if the dominion over these lands should be established by the blood and treasure of the United States, such lands should be considered common stock to be parcelled out at any time into convenient, free, and independent governments." Pursuant to this resolution, Maryland's legislature held out until the other States agreed to surrender their Western lands into the hands of the Congress. New York, whose claims were tenuous, led the way; and finally Virginia, whose claims dated from the first charter and whose armies, under George Rogers Clark, had just confirmed them by con-

quest, surrendered her lands to Congress. When this was done, early in 1781, Maryland ratified the Articles.

From the standpoint of those who envisioned a government with power, the merely regulatory functions of Congress under the Articles seemed woefully inadequate. The course of the war demonstrated the weakness of the government. Washington found that Congress was unable to raise and equip an army and without power to coerce the States into making contributions. Without the right to levy taxes, Congress had no money with which to wage war. Structurally, too, the government was weak. The lack of an executive, the equality of the States, and the necessity for unanimous consent to amendments were defects which hindered efficient action. The supremacy of the States led the ablest men to prefer service in legislatures to ineffectual discussions at the national forum. To the disgust of the conservatives, the quality of the personnel of Congress declined during the war. Yet the radicals were content with a government which did not interfere with liberty in behalf of property, and twice when amendments which would have given Congress the power to raise a revenue by import duties, the proposal was defeated by the votes of democratic States.

Yet this government, structurally weak and without real power, was surprisingly successful. Despite its inadequacies and weaknesses, it successfully prosecuted the war with England and negotiated the highly favorable Treaty of Paris. During the succeeding five years, it furnished a bond of union between the discordant and jealous States until it stepped aside with sufficient, if not enthusiastic, grace for the new Constitution. But the greatest success of the Confederation was its solution of the problem of

the West. Paradoxically, the success of the Confederation produced its overthrow, for without the formula which it evolved for the Western lands, the Constitution could not have been successful.

## 2. THE CONFEDERATION AND THE WEST

All during the Revolution the Southern frontier had been extending farther into the West. Henderson's Transylvania colony was launched on the very eve of the war. Virginia erected the Transylvania region into Kentucky County in 1777. In 1779, when the State recognized the validity of land titles acquired from the Cherokees and made arrangements for selling land, settlement increased rapidly. In that year Henderson, the ubiquitous speculator, transferred his interest to Tennessee and made arrangements with James Robertson to lead settlers from the Watauga regions to Henderson's lands on the Cumberland River. In January, 1780, the site of Nashborough was settled, and thereafter throughout the Cumberland region appeared the palisaded forts of the pioneers. When the Revolution was over, there came a new rush of settlers into these two outposts of the South. Soldiers from the armies, militiamen who expected bounty lands, and back-country people seeking relief from their debts followed the Wilderness Road and the Ohio River into Kentucky or sought out the trail which Robertson had blazed from Watauga to the Cumberland. Louisville, Lexington, Maysville, and Paris were settled in Kentucky. In North Carolina, during the Revolution, liberal land laws had been passed. Land offices were opened in every county, and lands were offered at 50 shillings for 100 acres. To protect Henderson, the radical Willie Jones moved that



Indian cessions should be recognized. At the moment, however, there was more interest in settlers than in speculators; but as soon as the war was over, the speculators renewed their *ante-bellum* activities. William Blount, associate of James Robertson in speculation, persuaded the legislature to reopen the land offices. Blount and Robertson laid out Knoxville and secured lands in Tennessee as a result of advance knowledge. Then, in order to have their lands protected and developed, they induced the legislature to cede the Tennessee lands to Congress.

As soon as this cession was made, a group of speculators formed the State of Franklin, but the Blount group persuaded North Carolina to repeal the act of cession. The movement for an independent state went on in the Watauga country, however, but the people chose John Sevier, an ally of Blount, as their governor. Sevier worked with the conservatives in North Carolina for peace and concessions, while the rival group of speculators aligned themselves with the radicals to prevent another accommodation.

At the same time, there was a movement for separate statehood in the Kentucky region. The settlers found the distance to Richmond too great and believed that they were neglected. Difficulty in raising a militia to repel an Indian attack led to the first steps toward forming a new State. The Virginians were willing to grant statehood upon conditions, but the outbreak of an Indian war delayed action until after the Constitution had been adopted. Then Virginia consented to separation, and in 1792 Kentucky was admitted to the Union.

The delay in admitting the Western regions to the Union and the inadequate protection afforded by Congress led the Western settlers to listen to proposals for alliance

with Spain. By the treaties which closed the war in 1783, the Spanish received both East and West Florida. This, with Louisiana, gave Spain control of the mouth of the Mississippi River, as well as of those rivers which flowed southward to the Gulf of Mexico. A provision in the Treaty of Paris gave the Americans the land as far south as  $31^{\circ}$ , but Spain claimed that West Florida's boundaries had reached the  $32^{\circ} 28'$  parallel under British rule. The Westerners were dependent upon the rivers which Spain held, and they wanted the right to navigate them to the sea. Spain had closed the rivers to American commerce. Moreover, the Indians of Florida raided the Western settlers, and frontiersmen suspected that the border warfare was inspired by Spanish agents. The Spanish made contact with General James Wilkinson, of the American Army, who accepted a commission and a salary from the Spanish King to detach Kentuckians and Tennesseans from the United States. Wilkinson seems to have been more interested in obtaining money for himself than in promoting Spain's ambition, but he held out to Kentuckians the prospect of creating a new nation in the West under Spain's protection. In Tennessee, Sevier and Blount engaged in dubious negotiations with the Spaniards in an effort to open up the Tombigbee River. The speculators hoped to effect, also, a cessation of Indian raids on their colonies.

The Congress of the Confederation slowly awoke to the dangers involved in the Western situation. In two significant movements, the Jay-Gardoqui Treaty and the Northwest Ordinance, the Confederation attempted to deal with Western problems. In 1785 Congress instructed its Secretary of Foreign Affairs, John Jay, to treat with the Spanish minister. Jay was a New York conservative whom the

Spaniard characterized as weak and self-centered. His narrow view prevented him from perceiving the significance of the Southern frontier, and he negotiated with Don Diego de Gardoqui a commercial treaty by which the United States agreed not to exercise its right to navigate the Mississippi for twenty-five years. Immediately the Southern States became alarmed, and Southern leaders accused Jay of dishonesty. James Monroe wrote Patrick Henry that it was one "of the most extraordinary transactions I have ever known, a minister negotiating expressly for the purpose of defeating the object of his instructions, and by a long train of intrigue and management seducing the representatives of the states to concur in it." The organized opposition of the South and West defeated Jay's efforts, and the problem of the Mississippi remained unsettled.

The second effort of the Confederation Congress to deal with Western problems resulted in the enactment of the Northwest Ordinance. The pressure of settlers on the frontier north of the Ohio River and the desire of the Congress to realize a revenue by the sale of Western lands led Congress to appoint two committees to deal with the problems of government in the West and with the sale of lands. Thomas Jefferson was chairman of both committees. On March 1, 1784, he reported a proposal for dividing the Northwest into ten States which should be organized as territories until they had a population equal to the smallest of the original States, when they would be admitted on equal terms to the Union. Jefferson provided that slavery should not exist in the new territory after 1800, but this provision was defeated by Southern votes. Jefferson's second report, in 1785, provided for the survey and sale of Western lands. Both of Jefferson's reports

were adopted, but no action was taken until in 1787 the opportunity to wipe out outstanding debts by sales to land companies led to the drafting of a new ordinance providing for a government for the region and holding out to prospective settlers the promise of eventual statehood. A clause of far-reaching significance in the ordinance provided that neither slavery nor involuntary servitude should exist in the region. Although Jefferson, reflecting the more advanced opinion of the Southern radicals, was the author of this clause, the Southern delegates were not ready to exclude slavery from the West, and the provision was struck out of the Ordinance of 1784. Since slavery was not expected to exist in the Northwest, the clause was inserted in the Northwest Ordinance of 1787.

### 3. MOVEMENT FOR A STRONGER UNION

The Northwest Ordinance, with its promise of statehood, had the good result of quieting dissension in the Southwest. Henceforth there was little thought of joining with Spain or establishing a Western confederacy under Spanish protection. Moreover, the ordinance had the significant result of bringing in a revenue and freeing the Congress, to some extent, from its dependence on the States. The greatest defect of the Articles of Confederation was their failure to provide the National Government with an independent income. The more optimistic of the proponents of the Confederation hoped that the sales of Western lands might pay off the debt, bring in a revenue, and enable the government to pursue an independent course.

Such a prospect, however, was not pleasant to many conservatives in the country. The government, under the

Articles, was primarily designed to govern as little as possible, and practically all power was left in the hands of the States. The separate commonwealths themselves were torn by conflicts between radicals and conservatives, and there was no place where property could be considered safe. Radicals generally were more concerned with insuring an uninterrupted pursuit of happiness than they were in guaranteeing the rights of property and promoting the economic interests of ambitious entrepreneurs. The period of the Confederation was one of economic depression. Business was stagnant; old markets were closed and new ones were not yet open. The burden of debts which rested upon the States was intensified by inadequate revenue systems and by large issues of paper money. Although many causes combined to produce this condition, the propertied and business groups blamed the weakness of the government for their troubles. If the government were strong, it could open up the British markets, force Spain to open her colonial ports to American trade, and take a firm hand with the British, who, in defiance of the Treaty of Paris, were still occupying the posts of the Northwest and excluding Americans from the fur trade. At the same time the States, acting each for itself, imposed tariffs, regulated commerce, and taxed business in a manner to lay grievous burdens upon trade. There was no way to restrain the States from enacting stay laws for the benefit of debtors or flooding the channels of commerce with paper currency. To the propertied classes it appeared essential that a strong national government must be created to limit the excesses of the radicals and insure protection to property. Some conservatives even rejoiced at the economic collapse. John Jay thought that "good will come out of evil; these discontents nourish federal

ideas. As trade diminishes, agriculture must suffer; and hence it will happen that our yeomen will be as desirous of increasing the powers of Congress as our merchants now are."

Throughout the South the years of the Confederation were marked by bitter struggles between radicals and conservatives. In Maryland the radicals opposed the conservative proposals for creating a college, for disfranchising those whose religion prevented them from taking oaths, and for appropriations to the Potomac Company, which planned to improve the river and make it navigable to the Great Falls. The radical farmers and artisans demanded paper money, but the conservative Senate prevented the radical House from granting the demand. In Virginia, the fight between radicals and conservatives made progress impossible. After Jefferson's unfortunate gubernatorial career, conservatives occupied the governor's chair and the legislature grew in conservatism. Immediately after the war, the radicals persecuted Tory refugees who sought to return to the State and refused to restore British property which had been confiscated during the war. A proposal to allow British creditors to collect their old debts precipitated a violent struggle. Virginians asked, "If we are now to pay the debts due to the British merchants, what have we been fighting for all this while?" Patrick Henry defeated the measure. Jefferson's bill for religious freedom was passed. Radical measures for appropriations for internal improvements, however, were hampered by the opposition of the Tidewater planters, who would not benefit from change.

South Carolina's career during the Confederation was a repetition of the Maryland story of conservative control. When the British were driven out, the radicals assumed

control and expelled loyalists from the State. The property of these British sympathizers was confiscated. Conservatives immediately objected to these measures, and within a few years they so far succeeded in modifying the Confiscation Act that even the former royal governor was allowed to return. When the old merchants returned to their shops, Charleston radicals rioted and instituted a reign of terror against the Tories. In 1784 the conservatives obtained control of the Assembly, and with the governorship in their hands they controlled the State.

In North Carolina the radicals were led by Willie Jones, one of the largest slaveholders in the State. But as time went on, the conservatives, supported by the land speculators, gained control. In Georgia there was a radical persecution of Tories, a fight between radicals, and eventual victory for the conservatives. Everywhere in the South the conservatives favored a strong national government which would aid them in checking the economic and social program of the radicals. The large planters, the merchants, and the land speculators were willing to co-operate with the conservatives of the Northern States in forming a new constitution.

The first steps that led to the formation of a new constitution were taken in Virginia. The leader in the movement was Washington, who had become impressed with the need for improving the navigation of the Potomac River. One of the largest landholders in the State, Washington had given his attention to his extensive properties as soon as he returned from the war. With large holdings and larger claims to lands beyond the mountains, Washington perceived the necessity of making those lands accessible from the East. Improvement of the Potomac would make communication easier. In a larger sense

Washington saw that easy communication with all parts of the West would tend to break up the Spanish intrigues and bind the frontiersmen to the Eastern sections. But the navigation of the Potomac was a joint problem of Virginia and Maryland. The Potomac Company, in which Washington was interested, received grants from both States, and each legislature appointed commissioners to deal with the problem. Washington invited the commissioners to meet at Mt. Vernon. In the spring of 1785 the commissioners met and immediately realized that any settlement of Potomac problems would involve Pennsylvania. The commissioners returned to their legislatures, and the Maryland body invited Virginia, Pennsylvania, and Delaware to send delegates to a new conference at Annapolis. The Congress adopted the idea and invited the States to meet at Annapolis to consider the necessity for a uniform system of commercial regulations. In September, 1786, delegates from five States assembled in the Maryland capital. Other States had sent delegates, but some of them purposely delayed their journey in order that the meeting might fail. The conservatives had no desire to strengthen the Articles but were desirous of a new constitution which would crush the radicalism of the States and aid business. The delegates who assembled were of the same mind and issued a call for the "united virtue and wisdom" of the States to assemble at Philadelphia in the following May to amend the Articles.

#### 4. THE SOUTH AT PHILADELPHIA

All of the Southern States sent delegates to the Philadelphia convention, and most of the leaders of the convention were from the South. Virginia's delegation was



headed by Washington and included James Madison, Edmund Randolph, George Mason, George Wythe, and James Blair. Washington and Mason were large landholders, Randolph was a conservative, and Wythe the leading lawyer of the Virginia bar. Patrick Henry had been appointed to the delegation, but he refused to attend. Only Madison lived outside of the Tidewater, and he had been born in it. Maryland's delegation was divided between conservatives and radicals: Daniel Carrol, Daniel of St. Thomas Jenifer, and James McHenry were conservatives, while V. F. Mercer and the brilliant but tiresome Luther Martin were radicals. South Carolina sent John Rutledge, Charles Cotesworth Pinckney, and Pierce Butler, all representatives of the low country and all of whom had been opposed to the radical mechanics of Charleston. Radical North Carolina, torn by conflicts over land speculation, sent a conservative delegation headed by William Blount and including other speculators. Willie Jones, like Patrick Henry, refused to attend the conservative gathering. Georgia's delegation, too, was of conservative, low-country land speculators.

Late in May the delegates mustered a quorum and organized with Washington in the chair. Immediately the Virginia delegates, through Randolph, offered a plan for a new constitution. Early on the ground, the Virginians under Madison's direction had met frequently to discuss the problems, had consulted arriving delegations, and had finally decided to draft a complete program of reorganization. Although appointed by their legislatures only to propose amendments to the Articles, the delegates ignored their instructions and decided to form an instrument of government with legislative, executive, and judicial branches. The Virginia plan proposed a national

legislature of two branches, the first chosen by the people of the States and the second selected by the first. The legislature was to have the powers of the old Congress and others which the States could not exercise. An executive, either singular or plural, was projected, as well as a judiciary with limited powers. The Virginia plan became the basis for the debates in the convention, and the final Constitution followed the general form of this preliminary proposal. As soon as Randolph had presented his plan, Charles Pinckney presented a plan which closely resembled the one from Virginia. This proposal was not formally discussed, but the Pinckney plan was before the committee which finally drafted the Constitution, and many of the South Carolinian's phrases found their way into the completed document.

Since the Virginia plan reflected the national views of the larger States, the smaller States, some of which were still in the hands of radicals, rallied behind a plan presented by Paterson, of New Jersey. This plan provided for a single-chambered legislature in which the States would be equally represented, and for a weaker executive and judiciary. In principle the New Jersey plan was merely an amended and improved version of the Articles of Confederation. Its acceptance would, however, have effected many of the fundamental changes desired by the conservatives. The leaders were in general agreement on the changes which were necessary, and few disagreed on the economic ends to be obtained by the new Constitution. On the choice of political methods to obtain their ends, however, there were many opinions, and the convention occupied the greater part of its time in formulating compromises between opposing ideas. The mem-

bers were willing enough to compromise on methods so long as the government was strengthened and the States were made to give up power. The resulting Constitution contained compromises on the composition of the Senate and the House of Representatives, on the election of the President, and on innumerable minor points. Many of the phrases were purposely left indefinite in hopes that later developments might clarify their ambiguity. Perhaps the greatest compromise of the Constitution was the Constitution itself. It was a compromise between the desires of the conservatives for a truly national government on the one hand and the radical concepts of the people on the other. The framers of the Constitution kept constantly in mind the fact that their handiwork would have to be submitted to the country.

Although they were in general agreement with the Northern delegates on the major ends and the principal methods, the Southern members had some interests which they desired to protect from their associates. Several of the compromises of the Constitution were necessary because of the peculiar interests of the South. On the question of apportioning representation for the lower house, South Carolina and Georgia delegates united in demanding that slaves should be counted as population. The conservatives were advocating representation of slaves not on the grounds of the natural rights of man but on the theory that population was an indication of wealth. They were all convinced that wealth should be given power in the new government. But there was also the question of the apportionment of direct taxes. Upon the motion of a North Carolina delegate, an agreement was made that three-fifths of the slaves should be counted for

purposes of both taxation and representation. This three-fifths compromise was to become one of the most significant clauses in the Constitution and a sore spot for many decades.

Slavery had its most ardent supporters in the two States of the lower South. There it had not yet become the economic failure that it was proving itself to be in the upper South and in the North. Washington, Madison, Martin, and Jefferson were convinced that slavery was unprofitable and out of accord with Revolutionary philosophy; but the South Carolinians, far more conservative, had never given adherence to radical theories and were certain that slavery was necessary in the rice swamps. Pierce Butler was so certain that slavery was right that he could tolerate no compromises on the issue. He impetuously proclaimed on one occasion that the interests of South and North were "as different as the interests of Russia and Turkey." When the convention discussed giving Congress power to regulate commerce, the pro-slavery delegates became alarmed lest the Northern States should prohibit the slave trade. Charles Pinckney passionately declared that slavery was justified by history and that half of mankind had always been slaves. Madison, Mason, and Martin combated the arguments of Carolinians and Georgians, but in the end the issue was compromised. Congress received the right to regulate commerce but with the proviso that no law should be passed to affect the slave trade before 1808 and that no import duty on slaves should exceed \$10 a head. These controversies over slavery were harbingers of long years of conflict between the sections.

## 5. THE CONSTITUTION IN THE SOUTH

The Constitution marked a complete revolution in American political organization. Whereas the Articles of Confederation had embodied, albeit imperfectly, the governmental concepts of the Revolutionary radicals, the new document was designed to meet the needs of the conservative classes. It created a government with more completely defined powers, with an executive with real strength and a supreme court which might sit in judgment on the States. It limited the economic activities of the States, forbidding them to pass stay laws or to issue paper money. But the members of the Philadelphia convention knew that their Constitution could not obtain the unanimous consent necessary to confirm changes in the Articles. Accordingly, in complete disregard of the express provision of their appointment, they provided for a new method of adopting their document. They sent the Constitution to the legislatures and instructed them to call conventions which would decide upon its acceptance. The constitutional party counted upon two things to bring a favorable result. The first was speed, and the second was the relatively high property qualification for voting. The Southern States had qualifications ranging from Georgia's 10 pounds of taxable wealth to the 50 acres or 30 pounds of Maryland. Thanks to these limitations on the suffrage and the quick action taken, only a small per cent voted for the conventions.

In spite of the effort to hasten action, sufficient time elapsed for the formation of a definite opposition party. Some of the members of the convention had refused to sign the Constitution and hastened home to defeat rati-

fication. Radical leaders, suspicious of the movement from the beginning, were ready to pounce upon the conservative offering. In Maryland, Luther Martin fought against ratification; in Virginia, Patrick Henry and Richard Henry Lee were joined by Randolph and Mason, who had refused to sign, at the head of the Antifederalists. Willie Jones and Thomas Person opposed the Constitution in North Carolina, while South Carolina's upcountry dissenters were led by Rawlins Lowndes.

Antifederalists and Federalists carried their cause to the people in public speeches, newspaper columns, and pamphlets. Ablest of the documents on the Federalist side were a series of 85 letters written by Alexander Hamilton, John Jay, and James Madison. Madison was the author of at least 14 and possibly 29. These letters elaborated upon the alleged weakness of the Articles and set forth the advantages of the new scheme. On the other side, Richard Henry Lee's *Letters from the Federal Farmer to the Republican* rivalled the *Federalist Papers* in completeness and penetrating analysis. Lee denied that the new Constitution was demanded by the whole people, denounced it as undemocratic, and asserted that it would be an agency for the suppression of the majority of the people.

With the arguments before them, the States began to act. First in the South and fourth in the Nation to accept the Constitution was Georgia. The election for delegates was uncontested, and the 26 members of the State convention ratified the Constitution on January 2, 1788. The exposed position of the little State and the immediate danger of Indian wars caused the Georgians to see clearly the need for a strong government.

Maryland was the second Southern State to ratify the

new instrument. When the legislature met in November, 1787, Luther Martin appeared to condemn the Constitution. The new government, he said, tended toward consolidation, and liberty would be destroyed if the States were weakened. After this address the legislature barely mustered a majority for calling a State convention. The campaign for the convention was bitterly fought with the commercial city of Baltimore and conservative Annapolis declaring that debtors and bankrupts comprised the rank and file of the Antifederalists. Less than one-fourth of the people voted, but so overwhelming was the Federalist victory that the convention would not even listen to opposing arguments. The vote for ratification stood 63 to 11. Maryland was the seventh State to accept the Constitution.

South Carolina, as much in the hands of the conservatives as Maryland, delayed calling a convention until May, 1788. In January, the legislature heard representatives of the upcountry allege that South Carolina would lose out to New England in the Union, that the slave trade should not be limited to 20 years, and that the government was too strong. But the legislature was in the hands of the Charleston merchants and planters and called the convention. The delegates were chosen on the same basis as the legislators, and the low-country Federalists had an overwhelming majority. South Carolina accepted the Constitution by a convention vote of 149 to 73.

Before Virginia's convention met, nine States had accepted the Constitution. As part of the Philadelphia convention's contempt for the Articles it had provided that the new government should go into effect when ratified by nine States. But without Virginia and New York, the new Union could not function. All eyes, therefore,

centered on Virginia, where the contest rapidly became bitter. The western counties were already suspicious of a national government and were aroused over the question of the Mississippi. Patrick Henry was suspicious of the Northern commercial interests, and his worst fears had been confirmed by the Jay-Gardoqui negotiations. Mason and Randolph, refusing to sign the Constitution, returned to Virginia to aid its opponents. Mason was a large landholder and owned many slaves. His interests in the West may have led to his action, for he had not hitherto given adherence to radical philosophy. Back of such leaders were possibly two-thirds of the people of the State, but the Federalists had able men on their side. Washington, Madison, Wythe, and the younger lawyer John Marshall—already showing the strength of a great mind—were a host in themselves. The elections for the convention were close, but the under-representation of the western counties gave a narrow Federalist majority. The 89 Federalists who carried the convention for the Constitution came from the Tidewater, the Shenandoah Valley, and from several counties in western Virginia where speculators had control. The 79 Antifederalists represented the Piedmont, the back country, and Kentucky.

In the convention, Henry brought to the fight the full power of his brilliant oratory. "What right had they to say 'We, the people' . . . who authorized them to speak the language of 'We, the people,' instead of '*We, the states?*'" he demanded. The new government was consolidated; it would destroy the States and liberty. Henry demanded amendments which would guarantee the rights of the States. Mason objected to the limitations on the importation of slaves. The Antifederalists finally ex-



tracted a promise to submit 20 amendments, constituting a bill of rights, before they would vote. In the end, the character of Washington, Marshall, and Madison won out over Henry's oratory, and Virginia ratified the Constitution.

Alone of the Southern States, democratic North Carolina refused to ratify the Constitution. The conservative delegates whom the State sent to Philadelphia did not represent the prevailing sentiment. The people of the State were poor and could not approve of federal taxation. The result of the election was to bring 184 Antifederalists and 84 Federalists to the convention at Hillsborough in July, 1788. The Federalists were unable to prevail against Willie Jones's oratory, and the radicals would not even consent to a conditional ratification. Since the Constitution had already been accepted by nine States, North Carolina was in fact and in law an independent state. The new government was inaugurated without her. In November, 1789, a new convention met. Already the bill of rights had been submitted to the country, and Federalist propaganda had won over many doubtful men. In the elections for the convention, Willie Jones was defeated, and the Federalists were able to point out that the United States surrounded the State and had already proposed to impose customs duties on her products. The new convention yielded to such arguments and accepted the Constitution by a vote of 195 to 77.

The ratification of the Constitution was not the end of the contest. The document itself was but the bare frame of government, and many of its provisions were vague or ambiguous. Much depended on the men who were first chosen to put it into operation. In the hands of the Federalists it might become the foundation of a strong nation;

in the hands of the Antifederalists it might preserve the rights of the States and defeat the ends of the conservatives. Federalists watched anxiously the coming elections. Fortunately for their cause, Washington was unanimously chosen President and John Adams Vice President, and the House of Representatives was safely Federalist. As the States acted, it became apparent that the friends of the new government would control the Senate, too. South Carolina chose Pierce Butler and Ralph Izard, both lowland planters; Maryland sent Charles Carroll, of Carrollton, and John Henry, both conservatives; but the Virginia Legislature, completely under the influence of Patrick Henry, selected R. H. Lee and William Grayson, active Antifederalists, for the national Senate.

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## CHAPTER VII

### THE BEGINNINGS OF SECTIONAL CONFLICT

#### 1. THE HAMILTONIAN PROGRAM

ON April 30, 1789, George Washington was inaugurated President of the United States. Without precedent to guide him he was faced with the task of making the bare outlines of the Constitution into a workable government. A majority of the members of the new Congress were Federalists, and practically all of them had been members of either the Philadelphia convention or the ratifying conventions of the several States. They were thoroughly familiar with the new Constitution, and they were experienced politicians. Moreover, the majority belonged to the conservative classes who had framed the Constitution. Fully cognizant of what they considered the evils of the old Confederation and in complete agreement on the ends of government, the members of the new government lost little time in drafting laws to give effect to their ideas.

Four executive offices were provided by the early legislation and Washington quickly filled them, choosing Alexander Hamilton, of New York, to be Secretary of the Treasury, Henry Knox, of Massachusetts, for Secretary of War, Thomas Jefferson for Secretary of State, and Edmund Randolph for Attorney-General. It was but accidental that the first Cabinet was evenly divided between

the North and the South, but this arrangement was destined to have far-reaching effects.

It was not unnatural that Alexander Hamilton should have assumed the leadership in the new government. The problems of the Nation were economic, and the new Congress turned to the Secretary of the Treasury to report on the financial needs of the government. In a series of four reports from January, 1790, to December, 1791, Hamilton proposed that the national debt be funded in new bond issues, that the Revolutionary debts of the States be assumed by the National Government, that Congress impose an excise tax in order to impress the power of the government on the people, that a national bank be established, and that Congress undertake the protection of manufactures through a tariff.

Hamilton's program was designed for both financial and political ends. Financially, he desired to make the government strong and to redeem its credit. He believed that credit was needed for industrial development and for commercial prosperity. Politically, the Secretary of the Treasury proposed to create a strong party of men bound by ties of economic interests to the new government. Hamilton had no respect for the intelligence or honesty of the masses of the people. Believing that mankind was actuated by ambition and interests, he contended that "it will ever be the duty of a wise government to avail itself of those passions in order to make them subservient to the public good." All communities, he explained, were divided into "the few and the many. The first are the rich and well-born; the other the mass of the people . . . turbulent and changing, they seldom judge or determine right. Give therefore to the first class a distinct, per-

manent share in the Government." In other words, Hamilton would organize the conservatives who had made the Constitution into a strong party and would have the government used to make profits for this class. Essentially, Alexander Hamilton was a politician rather than a financier, and his economic program was designed to create a party and enrich his followers.

All of Hamilton's reports were adopted except the one favoring the protection of manufactures. That policy had been adopted in the first tariff bill of the first Congress. The national debt was funded in new bonds, and speculators in Continental debts reaped a rich harvest. A national bank in which the government was a large stockholder was established, and an excise tax in whiskey which bore hard upon Western farmers was adopted. All of these measures were of benefit to the North. Massachusetts and New York, commercial and maritime in interest, profited from the new system. Merchants welcomed a stable currency and good credit, and all conservatives breathed a sigh of relief as the threat of paper money disappeared. The program, however, was of distinctly less benefit to the South.

## 2. DEVELOPMENT OF A SOUTHERN PROTEST

As the Hamiltonian program developed, Southerners remembered the prophetic words of Patrick Henry in the Virginia ratifying Convention: "A gentleman has said. . . that there is a contest for empire. There is also a contest for money. The States of the North wish to secure a superiority of interest and influence. In one part their deliberation is marked with wisdom. When we have paid all the gold and silver we could to replenish the

Congressional Coffers, then they ask for confidence. . . . The eastern States have speculated chiefly in this money. . . . not satisfied with a majority in the legislative councils, they must have all of our money."

Hardly had the new government begun operation when the first evidence of conflicting sectional interests appeared in Congress. Significantly, the issue between the sections was precipitated by petitions from Pennsylvania Quakers and the Pennsylvania Society for the Abolition of Slavery. The petitions, signed by the President of the society, Benjamin Franklin, asked Congress to go to the limit of its powers in suppressing the institution of slavery. Immediately some Southerners showed nervousness, and Burke, of South Carolina, declared that the reference of the petitions to a committee would "blow the trumpet of sedition." Madison, however, insisted upon discussion and a reference. After considerable discussion, the Southerners persuaded the House of Representatives to adopt four resolutions which asserted that Congress had no power to prohibit the importation of slaves before 1808 and no power to interfere with the institution in any State, but that it had powers over the interstate slave trade. The result was the passage of a fugitive slave act.

The Fugitive Slave Law of 1793 was passed, not at the demand of the slave owners, but on complaint of the State of Pennsylvania that a free Negro had been kidnapped and that the governor's requisition for a rendition of the kidnappers had not been honored. The law which Congress passed at this time stayed in force until 1850. It provided that a white man claiming a Negro as a slave should prove his claim to the satisfaction of a State or federal magistrate, who would thereupon issue a certificate or warrant for the arrest of the fugitive.

Relatively unimportant at the moment, this discussion over slavery served only to indicate the presence of a deep-seated division in sectional interests. Further evidence came in the dissensions over a tariff measure. Members from the North were in favor of levying import duties in such a manner as to protect a nascent American industry, while Madison, with the support of others from the South, contended that the primary purpose of the tariff should be to provide revenues. The protectionist principle was evident in the first tariff measure.

As Hamilton's reports set the course of Congressional legislation, James Madison, ably assisted by Giles, of Virginia, became the spokesman of the Southern interests. A strong supporter of a strong government, active in the formation of the Constitution from the Mt. Vernon conference to Washington's inauguration, Madison was unable to adopt Hamilton's conservative theories of government or follow after him in enriching the propertied interests at the expense of the government and the people. When Hamilton's scheme for funding the national debt was proposed, Madison objected to accepting the Continental certificates of indebtedness at their face value. The certificates had depreciated to a value of approximately 12 cents on the dollar and had passed into the hands of speculators. Madison saw no reason for giving such enormous profits to the money lenders and even proposed that the difference between the face and the market values should be paid to the original holders. This was impossible, and on February 22, 1790, Hamilton's proposal became a law.

Essentially the objection to the Hamiltonian program came from the agricultural sections of the country. Western settlers in the Middle States and frontiersmen



who were pushing their way into the Ohio Valley were as opposed to the commercial classes as were the planters of the South. City artisans, too, long the enemies of the merchants, were antagonized by Hamilton's social philosophy. This situation required that some leader other than Madison should express the agricultural discontent, since he was thoroughly identified with the conservative planters of the Virginia Tidewater and his record as a Federalist prevented his making an appeal to the masses of farmers. The leadership of the opposition was assumed by Thomas Jefferson soon after he returned from France to assume his duties as Secretary of State. Jefferson could speak the language of liberty and could present the cause of the agricultural classes in the terminology of Revolutionary radicalism and the Declaration of Independence. With Jefferson's assumption of leadership there began an alliance of South and West which was to elevate the Virginian to the White House and give the South a momentary control of the Nation. With it, too, began the constitutional arguments which were to cloud the basic economic issues of the sectional conflict.

As soon as Congress had accepted the funding measure, it turned to consider the assumption of the State debts. This proposal seemed especially unfair to the South. Some of the Southern States had paid off large portions of the State debts, while Virginia and North Carolina had ceded to the Federal Government large sections of land which would go far toward paying the total national indebtedness. The additional taxation which would benefit Northerners rather than Southerners was an added burden for the enrichment of the commercial classes at the expense of the planters and small farmers. On April 12, 1790, by mustering all their strength, the Southerners

succeeded in defeating the assumption measure in the House. There was great rejoicing in the South. "Miss Assumption" was dead. "Her death was much lamented by her parents, who were from New England," wrote one politician. "Miss Direct Tax may rest more easily in Virginia as she will not be called into service to support the deceased Miss Assumption. But a motion to reconsider was made, and Miss Assumption was not as dead as she appeared."

It was at this juncture that Jefferson returned from Paris to take up his duties at the head of the State Department. His arrival was opportune—for Hamilton. With Jefferson perhaps not fully understanding the issues at stake, Hamilton besought him to influence the Southern members. In a long conference, pacing the street before Washington's house, the New Yorker explained that the fate of the Constitution was at stake, that the creditor States were on the verge of secession.

Under this presentation of the case, Jefferson invited the leading Southern politicians to dinner. In the discussion at the table he learned something of the significance of the events, but, having committed himself, he went through with the plan. Compromise, however, was necessary. There was much discussion at the moment as to the location of the capital, and Jefferson arranged that the capital should be situated on the banks of the Potomac in return for the votes of certain Southerners. "And so," said Jefferson, "the assumption was passed and twenty millions of stock divided among the favored states and thrown in as pabulum to the stock jobbing herd." Jefferson regretted his action, and soon put himself at the head of the movement against Hamilton.

Possibly the reason why he came to understand that situation was that the States were at great pains to make their opposition clear. State legislatures passed resolutions denouncing the assumption. On January 13, 1791, James Monroe presented to the Senate the resolutions which Virginia, who had paid her debts, had passed against assumption. The law, said the Virginia Legislature, was "repugnant to the constitution of the United States as it goes to the exercise of a power not expressly granted to the general government." Hamilton was alarmed as he wrote to Jay in prophetic mood, "This is the first symptom of a spirit which must either be killed or will kill the Constitution of the United States."

In addition to this resolution of the legislature, the Virginia House of Delegates also drew up a memorial setting the grounds upon which they objected to assumption. "In an agricultural country like this," said the House of Delegates, ". . . to erect and concentrate and perpetuate a large monied interest, is a measure which your memorialists apprehend must in the course of human events produce one or other of two evils, the prostration of agriculture at the feet of commerce, or a change in the extant form of federal government, fatal to the existence of American liberty . . . ." With this statement of the issues of the sectional conflict, the House of Delegates made a contribution to the constitutional theory. It was the duty of the legislature to combat such class legislation. "During the whole discussion of the federal constitution by the convention in Virginia your memorialists were taught to believe that 'every power not granted was retained.' Under this impression and upon this positive condition, declared in the instrument of ratification, the said government was adopted by the people of this Com-

monwealth; but your memorialists can find no clause in the constitution authorizing Congress to assume the debts of the states. As the guardians then of the rights and interests of their constituents, as the sentinels placed by them over the ministers of federal government, to shield it from their encroachments, or at least to sound the alarm when it is threatened with invasion, they can never reconcile it to their consciences silently to acquiesce in a measure which violates that hallowed maxim."

This was the doctrine of sentinelship, and implied that the State legislature was the proper guardian of the liberties of the people and the proper agency for interpreting the acts of the Federal Government. It was the first expression of a constitutional doctrine which was to expand to uphold States' rights, nullification, and secession.

The next step in the development of the constitutional theory which was to bolster the sectional conflict came a few weeks after the assumption bill when the third of Hamilton's measures, the establishment of a national bank, was presented. By that time the opposition was well organized, and Madison hastily denied that the government was given the power by the Constitution to establish a national bank. When the bill came to the President, he called on the Cabinet for opinions. Jefferson and Hamilton sharply clashed on the nature of federal powers, Jefferson holding that the government was one of limited power, specifically granted, and Hamilton holding that the government was one of practically unlimited powers. Jefferson could find no specific grant to Congress of the power to incorporate a national bank. Hamilton found the power in the clause which gave Congress the right to make all laws "necessary and proper"

for executing its power to levy taxes and emit bills of credit. Jefferson would interpret the Constitution in its strictest literal sense. The school of "strict construction" of the Constitution which the South was to support so vehemently was born in the discussion over the national bank.

Defeated by the fact that Hamilton was in power and that Washington supported him—deciding for him on the bank question and on a number of others—Jefferson more and more withdrew from the administration to place himself at the head of the party which would overthrow the Federalists. The Genet incident, the French War, Washington's neutrality, and the Jay Treaty were all things which redounded to the interest of the Northern commercial party. Jefferson eventually resigned from the Cabinet and in 1796 was the candidate of his party for the Presidency. Throughout the intervening years, the Southerners continued to give expression to their opposition. One Southerner opposed the "continued drain of specie which must take place to satisfy the appetites of speculators at the seat of government. . . . Connecticut manufactures a great deal. Georgia manufactures nothing and imports everything. Therefore, Georgia, although her population is not near so large, contributes more to the public treasury by impost." When the Bank was before Congress, this same Georgian declared that it was a scheme to benefit the mercantile interests only. The farmer would get nothing. On the tariff bill, Lee, of Virginia, declared that it would operate as "an oppressive though indirect tax upon agriculture." John Taylor, of Virginia, wrote two pamphlets denouncing the stockjobbers of Congress and gave the names of the members of Congress who were interested in government

securities and in the bank. More and more the opponents of Hamilton found his plan unconstitutional, until that bitter Federalist, Fisher Ames, declared, "I scarce know a point which has not produced this cry, not excepting a motion for adjournment. . . . The fishery bill was unconstitutional; it was unconstitutional to receive plans of finance from the Secretary to give bounties; to make the militia worth having; order is unconstitutional; credit is ten fold worse." Meantime the New England Federalists fumed against the demagoguery of the Jacobin Jeffersonians. Timothy Dwight, president of Yale, was highly alarmed at the rabble which was gathering around Jefferson. "Shall our sons become the disciples of Voltaire and the dragoons of Marat; or our daughters the concubines of the Illuminati?" he asked with no respect for reason. Another New England preacher declared that the "atheistical, anarchial, and in other respects immoral principles of the French revolution" were actuating the Republicans. In the fires of this partisanship were born the hatreds which consumed the Nation in the Civil War.

### 3. FORMULATION OF THE COMPACT THEORY

By 1796 Jefferson and Hamilton were both out of Washington's Cabinet, but Hamilton was still a power behind the throne while Jefferson was devoting his energies to organizing his party of opposition. In 1792 Washington had been re-elected without opposition, but he signified his unwillingness to serve a third term. His retirement gave opportunity to the parties of Hamilton and Jefferson to wage a contest for the Presidency. Quarrels within the Federalist ranks resulted in the selection of Massachusetts's John Adams as Jefferson's opponent

with Thomas Pinckney, a conservative South Carolina planter, as the leading candidate for the Vice-Presidency. Aaron Burr, leader of Hamilton's opponents in New York, was the Jeffersonian choice for the second place.

The South was a unit against the Federalist candidates. In South Carolina a bitter struggle had resulted in a victory for the upcountry elements and an overthrow of the Charleston planters. Federalism was strong in Charleston and remained a force for years, but in 1790 the radicals demanded a new constitution which should abolish primogeniture, give an increased—although not yet a fair—representation to the upcountry, and move the capital inland from the seacoast to Columbia. The import of Hamilton's program unified the Southern classes in support of Jefferson. Yet in the elections, Adams gained the Presidency by the narrow vote of 71 to 68. The dissension among the Federalists resulted in Jefferson's being elected Vice-President. Hamilton had attempted to persuade several electors, each of whom cast two votes, to cast one of their votes for Pinckney and another candidate and thus elect Pinckney instead of Adams. But Adams's supporters learned of the plot and discarded their second votes so that Pinckney with 59 electoral votes came third and Jefferson became Vice-President.

During all of Adams's administration, events played into the hands of the Jeffersonians. The quarrel between Hamilton and Adams weakened the Federalist party, while the Federalist solution for foreign problems reacted in favor of the Democrats. The French Revolution, which began just as the new government in the United States was being inaugurated, had progressed from the stage of enthusiastic equalitarianism to one of bourgeois

corruption. At the head of the government was a directory of five members who were ruling the country and dictating to the conquered European continent for their personal profit. In the last months of Washington's administration James Monroe was recalled from France for making apologies to the Republic for the Jay Treaty. Adams sent a minister, who was not received, and then a commission to deal with the French. Agents of the Directory met the American commissioners and offered to make a treaty if bribes were paid. The correspondence of these agents was published by Adams, and the American people rose in indignation. French seizures of American commerce had already aroused Adams's home section, and the insulted Federalists prepared for war. In preparation for the conflict they increased the army and navy and authorized the President to call out the militia.

Taking advantage of popular excitement, the Federalists prepared to injure the Republican party. The commercial aristocracy of Federalism wished to prevent the Jeffersonian rabble from criticizing the government and its officers. Accordingly, Congress enacted a series of laws known as the "Alien and Sedition Acts." The first of these laws raised the residence requirements for naturalization to 14 years, another gave the President authority to order any alien considered dangerous out of the country, while another permitted the President to imprison enemy aliens in time of war. Since foreigners were usually attracted to the Republican ranks, these laws had an obvious political purpose. The Sedition Act, however, was even more clearly designed to embarrass the Jeffersonians. Any conspiracy against the officers of the government, or any malicious criticism of the President



or the Congress, should render its author liable to a fine or imprisonment. Under the Sedition Act a number of persons were brought to trial and convicted. Frequently the offenses they had committed were trivial, but Federalist judges enforced the law with excessive partisan zeal.

To the Republicans, successors of the Revolutionary radicals and the Antifederalists, such legislation confirmed the worst fears of tyranny and centralization. The Federalists, it appeared, had secured the control of the government, ruled it to enrich themselves, and now seemed bent upon destroying all opposition. The courts were apparently becoming agencies of oppression, destroying the liberties of the people. The Republicans therefore turned to the States as the protectors of the people.

The Southerners had already become alarmed at the loss of power to the States. In 1792 Georgia had been summoned before the bar of the Federal Supreme Court to defend itself against a suit brought by a citizen of South Carolina. Georgia protested that the Supreme Court had no jurisdiction, but the Court, under Chief Justice John Jay, had declared that Georgia was liable to be haled before it. Significantly, the only dissent came from North Carolina's James Iredell: "Every State in the Union in every instance where its sovereignty has not been delegated to the United States I consider to be as completely sovereign as the United States are sovereign as to all powers actually surrendered; each State in the United States is sovereign as to all the powers reserved. It must necessarily be so, because the United States have no claim to any authority but such as the States have surrendered to them." In Georgia it was believed that submission to the jurisdiction of the Supreme Court would effectually destroy the sovereignty of the States

and "render them but tributary corporations to the Government of the United States." Throughout the South there was an immediate objection to this assault upon the sovereign States. Virginia representatives sponsored an amendment to the Constitution, and on March 5, 1794, Congress submitted the Eleventh Amendment for the approval of the State Legislatures. In January, 1798, the amendment declaring that States could not be sued became a part of the Constitution.

The action of the Supreme Court in the Case of *Chisholm v. Georgia*, the increasing concentration of power in the hands of the government, and the Alien and Sedition Acts led many Southerners to favor a dissolution of the Union. Some of them proposed to Jefferson that Virginia and North Carolina secede from the Union and form a Southern confederacy. Jefferson, however, was willing to rely on the masses of the people. He urged moderation and preferred to base his course upon a reinterpretation of the Constitution. "Let there be no violence, no open insurrection," he counselled, "and in the end public opinion will sweep from power the party responsible for these acts." Publicly, however, he declared that freedom of speech and republican institutions were in danger, and that if a protest were not made, the Federalists would make a monarch of the President and transform the Senate into a House of Lords.

Preferring to maintain the Union, Jefferson sought for a procedural control of the acts of the National Government. The States, thought Jefferson, should have the power to protect the people from tyranny. This idea was not new. It bore close resemblance to the concept of "checks and balances" which the framers had attempted to write into the Constitution. In the Philadelphia con-

vention, Madison had asserted that the State Legislatures would ever be ready to sound the alarm if the Congress should overstep its bounds. The Virginia House of Delegates had expressed the same concept when they propounded the doctrine of sentinelship. To Jefferson fell the task of formulating the constitutional doctrines which would justify the States in protesting the assailed liberties of the people.

With Madison's help, Jefferson drafted a set of resolutions to be presented to the Legislatures of Kentucky and Virginia. The Kentucky Resolutions declared that "the several states composing the United States of America are not united on the principle of unlimited submission to their general government; but that by compact . . . they constituted a general government for special purposes, delegated to that government certain definite powers, reserving each state to itself, the residuary mass of right to their own self government; and that whenever the general government assumes undelegated powers, its acts are unauthoritative, void, and of no force." Each State acceded to the compact as a State, forming an agreement with the other States, and the general government which they formed "was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the Constitution, the measure of its powers." There was no common judge set up by the compact, and this made each State the judge of infractions of the Constitution "as well as of the mode and measure of redress." The Alien and Sedition Acts exceeded the powers granted to the government, and Kentucky was "determined, as it doubts not its co-States are, tamely to submit to undelegated and consequently unlimited powers in no man

or body of men on earth." The State therefore instructed its Senators and Representatives to work for repeal of the Acts.

These resolutions brought forth a varied series of replies from the other States, although only one State took notice of the compact theory upon which they were based. A second set of resolutions were adopted in Kentucky after the replies of the "co-States" had been received. In these new resolutions it was declared that the States had the right to "nullify" an unconstitutional act of Congress. With these resolutions the compact theory which had guided the Revolutionary patriots against England was given a new application: henceforth, it was the basic concept of those who held to the "States' rights" school of constitutional thought.

The resolutions were not primarily designed to embody a constitutional philosophy. Their immediate purpose was to formulate a political platform upon which Jefferson might stand for election in 1800. In the elections of that year, Jefferson and Burr defeated Adams and Pinckney. After the tie between the Republican candidates had been resolved by the House of Representatives, Jefferson was inaugurated President. The Southern protest against the Federalist regime had been successful and the South was in control. It remained to be seen how complete would be the political revolution. New England merchants and their conservative cohorts were convinced that the government had passed into the hands of the rabble.

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## CHAPTER VIII

### THE ALLIANCE OF SOUTH AND WEST

#### 1. THE COTTON KINGDOM

THE "revolution of 1800" brought Jefferson's agricultural party into control of the National Government. New England Federalists and conservatives everywhere greeted Jefferson's succession with groans and resorted to fantastic forebodings of impending doom. Theodore Dwight was certain that the government had passed into the hands of blockheads and knaves, and prophesied a leveling of society which would snatch children from their mothers' breasts, nationalize the women, and—more serious—destroy property. Jefferson's administration, however, soon proved that the "revolution of 1800" was simply a change in the attitude of the government rather than a social upheaval. Henceforth the National Government was conducted in the interests of the agricultural instead of the commercial classes. A few minor changes brought the semblance of greater democracy to the practices of the government, but there was no alteration of the Constitution and only lip service to the principles of States' rights. Despite this moderate policy, the New Englanders were soon to have cause for complaint, and the sectional conflict increased in intensity.

The Democratic-Republican party was composed of both Southern and Western elements, held together by a common dependence upon agriculture and by their ad-

herence to Jefferson's democratic political theories. The alliance between the South and the West could last as long as these common interests and common principles persisted. The Southern planters, however much they may have been opposed to Hamiltonian policies, were not in sympathy with democratic doctrines. The conflict between the classes within the South continued throughout the period until the conservative planters had again secured the upper hand. Thereafter there was no common ground upon which South and West could unite, and the Westerners transferred their political support to a transformed New England.

Greatest of the forces leading to the eventual dominance of the planters was the coming of cotton to the lower South. At the time of the Constitution, the Southern social system was based upon the production of the two staple crops—rice and tobacco. Although slavery furnished the labor for these crops, the system was definitely on the decline by the end of the colonial period. The upper South, under the influence of the frontier, was tending to become a land of small farmers, while in the rice regions the pressure of the upcountry was threatening a social revolution. The areas where rice could be grown profitably were limited, and the planter aristocrats of Charleston were fighting a losing battle with the forces of democracy. Cotton, however, changed the entire nature of South Carolina and Georgia and gave the planter aristocracy a new lease on life.

The development of cotton as a Southern staple had long been considered in the South. The Industrial Revolution had in the English textile industry perfected machinery for spinning and weaving to the point where the potential capacities of the mills exceeded the supply of



raw material. Experiments showed that cotton could be raised in the South, but the only variety that was profitable was the sea-island, or long-staple, cotton. This could be grown only along the seacoast of South Carolina. The short-staple variety could be grown inland over all the territory of Georgia and South Carolina, but the labor of separating the matted fibers from the seeds was so great that a skillful slave woman could not clean more than a pound a day. Everywhere South Carolinians and Georgians sought for a machine—or engine—which would perform the labor. In full expectation that such a machine would be made, the Georgia Legislature offered a prize for an effective “gin,” and planters hopelessly seeded acres to the new crop. With a market waiting and a crop ready for the harvest, Eli Whitney, recent graduate of Yale University, came to Georgia to act as tutor to the young children of the late General Nathaniel Greene. Learning of the legislative award and hearing much conversation about the expected “gin,” the ingenious Whitney soon devised a pair of toothed rollers which seized the fibers of a cotton boll and drew them through slats which excluded the clinging seeds. A simple brush removed the lint from the rollers. Whitney patented his invention, collected his award, and formed a partnership with Elias Phinney, Mrs. Greene’s overseer, to market the gin. Unfortunately, Whitney had Yankee contentiousness as well as Yankee ingenuity, and lawsuits against rival gins soon reduced him to poverty. But the South went on to a newer prosperity.

In 1791, 38 bales of Southern cotton were denied entry to England by an incredulous Liverpool customs officer who did not believe that America could grow cotton. But Whitney’s gin, invented in 1792, soon furnished prac-

tically all the fiber used in English mills. In 1800 the South exported 35,000 bales and in 1809 over 218,000 bales, and by 1820 the total Southern crop was over 320,000 bales. The annual value of the exported crop rose until in the latter year the South received over \$27,000,000 for its cotton. Within the South this new wealth had two effects: it created a demand for Western expansion, and it made possible the rise of new recruits for the planter class.

The possibility of producing cotton in the Carolina up-country freed the planters from their dependence upon the rice swamps. No longer bound, planters turned inland, acquired lands, and moved their slaves to cotton plantations. At the same time, the men of the upcountry abandoned the production of foodstuffs and their small beginnings in manufacturing and turned at once to producing the new staple. The advantages of cotton were many. It required less care than rice and tobacco while growing and was more easily prepared for the market. It was adapted to slave labor or to cultivation by unskilled white hands. Moreover, there was no apparent point of saturation, no time when one reached the point of diminishing returns. Cotton was profitable when raised on one acre; it was proportionately profitable when raised on a large plantation with many slaves. Up-country farmers found their profits increased by purchasing slaves. The father of John C. Calhoun purchased one slave who changed the whole attitude of the Calhoun family. The father had been identified with the radicals of the Revolution, struggling with the Tories and with the reactionaries of Charleston. The son became the spokesman for the most conservative, propertied class in the Nation. The case of the Calhouns was

typical. Cotton tied together the upcountry and the low country, slavery spread everywhere in the Cotton Kingdom, and men of the upcountry expanded their acres, bought more slaves, and dreamed of rising into the class of the planters.

The devotion of the people to cotton produced a demand for more land. The pressure drove the government into making arrangements for opening new lands in the Gulf region. Georgia had claims over the Western region as far as the Mississippi River. South Carolina, too, had vague claims to a strip of Western lands. The Georgia lands had not been ceded to the United States, and the State Legislature attempted to profit from a renewed demand for expansion. Speculators had long besieged the Georgia lawmakers, and in 1784 the Tennessee speculators Blount, Sevier, and John Donalson had persuaded the Assembly to create Houston County on the Tennessee River. In 1789, extensive grants were made to three companies, one of which was headed by Patrick Henry, known as the Yazoo companies. The lands given were in the Tennessee Valley in the present States of Alabama and Mississippi. This land was claimed by the United States, who acquired title from Spain by a treaty in 1795. In that year, the Georgia Legislature cancelled the grants to the Yazoo companies. In 1802, with the lands claimed by three parties, a compromise was arranged by which Georgia ceded the lands to the United States on condition that the Yazoo claims be paid. In attempting to carry out the agreement, Jefferson met opposition in his own party from John Randolph, the Virginia planter who was chairman of the Ways and Means Committee of the House of Representatives. Since most of the Yazoo claims were held by

Northerners, Southern Republicans followed Randolph in denouncing Jefferson. The quarrel was eventually settled after Jefferson had caused Randolph's defeat for re-election.

Despite this quarrel, the Georgia cession gave the National Government the lands, and settlement proceeded rapidly. The national land system was extended to the region and land offices were opened for sales. The Government cleared the Indian titles in a series of treaties. The region was organized as Mississippi Territory. Settlement was steady, and by 1812 a population of 40,000, including 17,000 slaves, had occupied over half a million acres in the region. Georgia increased even more rapidly, and almost doubled in population between 1800 and 1810. After the War of 1812, population flowed rapidly into the Southwest. During the war, the Creek Indians had risen against the white men, but Andrew Jackson had effectually suppressed them. Following the war, there were further Indian cessions and a greatly increased migration. In 1816, Alabama Territory was cut off from Mississippi Territory. In 1817, Mississippi was admitted as a State, and Alabama entered the Union in 1819.

Throughout this region the major crop was cotton, and the plantation system grew rapidly. Planters from the older States came in with their slaves, and slaveless proprietors soon acquired sufficient credit to purchase a Negro. Farmers from the tobacco regions carried their slaves to the cotton land and rapidly rose to become planters. The new Southwest was identified with the planters of the older States.

Meanwhile, as the region east of the Mississippi filled with speculators and settlers, the pressure of settlers

passed over into Louisiana. In 1803, Jefferson took advantage of the opportunity afforded by Napoleon's need to purchase the region from the French Emperor. There was no warrant for such a purchase in the Constitution, but Jefferson's party was devoted to agricultural expansion. After contemplating an amendment to the Constitution, Jefferson laid aside his constitutional scruples and took the territory. In 1805, Congress erected the region into the Louisiana and Orleans Territories. By 1812, Orleans Territory had over 75,000 inhabitants and was admitted as the State of Louisiana. The rest of the Louisiana Purchase region was renamed Missouri Territory. In 1819, Arkansas Territory was carved out of Missouri. Agrarian zeal for expansion also led the Republican administration to claim West Florida. The words of the Louisiana Purchase treaty were vague, and Jefferson alleged that West Florida, which was Spanish territory, belonged to Louisiana. In 1810, following an American-inspired revolution in the region, Congress declared it part of the United States. East Florida became the next goal of the expanding Southerners. This Spanish colony was especially desired because the Spanish never gave up their intrigues with the neighboring Indians, and Southerners were convinced that Spanish agents aided the Indians in raiding the American settlements in Georgia and Alabama. Moreover, slaves frequently escaped from Southern plantations and fled to the Florida Indians. In 1814, Jackson seized Pensacola, but abandoned it to march against New Orleans. In 1818, he led his frontier militia against the Seminole Indians, pursued them into Florida, captured two Spanish forts, and hanged two British citizens for aiding the red warriors. Persuaded by this series of assaults on her

territory, Spain agreed, in 1819, to sell Florida to the United States. In 1821, Florida became a territory, and in 1845, a State.

## 2. THE AGRARIAN PROGRAM AND COMMERCIAL REACTION

The Republican control of the government was marked by no drastic efforts to reorganize the government in accordance with the principles of the Kentucky and Virginia Resolutions. The Twelfth Amendment, altering the procedure of the electoral college by having each elector designate his choice for President and Vice-President, was a simple adjustment made in response to a recognized need. It embodied no change in the direction of fundamental Republican principles. In fact, the Republicans were content with the form of the government so long as they might direct it to their own ends.

The Republicans, however, had serious intentions of preventing the Federal courts from infringing upon popular rights. Throughout the Federalist period, the Federal courts had been assuming powers and growing in strength. In 1789 Antifederalists had objected to the creation of inferior Federal courts, believing that State courts could function for minor cases. They had based their objections on the grounds that the Federal courts, with judges appointed for life, would be aristocratic and that they would take business from State courts. Jealous of the rights of the States, they thought it undesirable to bring the power of the National Government so close to the people. Friends of States' rights were further alarmed at the Chisholm decision. The Kentucky and Virginia Resolutions were designed, among other things, to formulate a method of checking the Federal courts

and protecting the States. While Federalists claimed a right of judicial review, the Republicans believed that only the States could pass upon the constitutionality of acts of Congress. To Jeffersonians, the right of the courts to declare laws unconstitutional seemed to destroy the basic principle of checks and balance.

When Jefferson came into office, he was particularly irate over a new judiciary act which the expiring Federalist Congress had just enacted. The Judiciary Act of 1801 had provided for a number of new courts, and Adams had busied himself in the last days of his term in filling the offices with Federalists. Although executive and legislature might be in the hands of the Republicans, the courts, at least, would be safe for Hamiltonian principles. The incoming Republicans immediately set themselves to repeal the Judiciary Act of 1801. Federalists objected that removing judges by repealing the act was unconstitutional, but Giles, of Virginia, answered that the Federalist program was in "direct hostility with the great principles of representative government" and would "produce a gradual demolition of the state courts."

Proof of the Republican contention that the Federal courts were reaching out for more power came when Chief Justice John Marshall, one of Adams's appointees, in the case of *Marbury vs. Madison*, declared a part of the Judiciary Act of 1801 unconstitutional. "It is emphatically the province and duty of the judicial department to say what the law is," declared Marshall. Jefferson indignantly responded that if this were true, the States had committed suicide when they adopted the Constitution, "for, intending to establish three departments, coördinate and independent, that they might check and balance one another, it has given, according to this

opinion, to one of them alone the right to prescribe the rules for the government of the others, and to that one, too, which is unelected by and independent of the nation. . . . The Constitution, on this hypothesis, is a mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please."

The Republicans had already launched an attack upon the courts and had attempted to remove Federalist judges by impeachment. The obvious partisanship of this move prevented its success, and the Federalists maintained their control over the judiciary. John Marshall continued to give decisions adverse to the rights of States. In *Fletcher vs. Peck*, *Cohen vs. Virginia*, *McCulloch vs. Maryland*, and *Martin vs. Hunter's Lessee*, the Virginia Federalist handed down decisions which limited the powers of State legislatures, took prestige from the State courts, and strengthened the power of the National Government. As decision after decision came down from the Supreme Court, Jefferson and the Southern Republicans writhed in anger. Virginia's legislature denied the right of the Federal Court to hear appeals from the States' courts, and proposed amendments to the Constitution. Judge Roane wrote a series of articles for the Richmond *Enquirer*, and John Taylor published a book called *Construction Construed* in answer to the Chief Justice. Jefferson thought Marshall and his colleagues were a "subtle corps of sappers and miners constantly working underground to undermine the foundations of our confederated fabric." Yet Jefferson did nothing to combat the Court. In his constitutional thinking he never passed beyond protest. In 1821, Kentucky and Virginia congressmen attempted to initiate an amendment to give jurisdiction in cases of dispute between



States and the Nation to the Senate, but this failed of passage. It remained for Calhoun to formulate a method of constitutional procedure whereby unconstitutional laws and decisions might be checked by the States.

But if the Federalists retained control of the courts, the other branches of the government were in the hands of the agricultural allies from South and West. Both sections were expanding, new States were being admitted to the Union, and national policies were adopted with little consideration for the commercial and financial sections of the country. New England and the commercial North and East had become a minority, and the sectional fires first lighted in the days of Hamiltonian supremacy were kept alive. When Jefferson purchased Louisiana in the interests of the South and West, Federalists foresaw the day when the Nation would be ruled by Westerners and New England would have no influence in the national councils. Said Uriah Tracy, of Connecticut, "The relative strength which admission gives to a southern and western interest is contradictory to the principles of our original union. This would be absorbing the northern states, and rendering them as insignificant in the Union as they ought to be, if by their consent the measure should be adopted." Students of Williams College declared that the acquisition was undesirable, and Federalists generally went to work to furbish up constitutional and other arguments. Men who had thought nothing of Hamilton's funding schemes thought the price for Louisiana too high. Not only did they object to the purchase, but they found constitutional arguments against ever admitting Louisiana to statehood. Griswold, of New York, argued that the power to admit new States was restricted to the territory of the original Union. He

denied the right to admit a foreign power into "co-partnership without the consent of the states." Timothy Pickering said that the Union was a partnership, and that the admission of a new partner should require the consent of every State. Gouverneur Morris, who had written the final draft of the Constitution, declared that there was no power to admit new States from other than the original territory.

Republicans answered the Federalist arguments with long discussions of the right to acquire territory and assumed that the right to acquire carried with it the right to admit the new territory into the Union. Yet it was evident that the Jeffersonians had deserted the principles of the compact theory which Jefferson had advocated. The compact theory was revived by the Federalists, and the principles of the Kentucky and Virginia Resolutions were used to justify New England opposition. Massachusetts, where there was a strong sentiment for secession, saw that the admission of new States would mean a decline in New England's prestige, and proposed an amendment apportioning representation and direct taxes in proportion to the free inhabitants of the States. This amendment was presented to the Senate by Pickering. It was also sent to the States and immediately answered. Georgia declared that it was unjust and would disorganize the Union. The replies of the other States were unfavorable, but the idea remained alive in Massachusetts and the change was frequently proposed.

In 1811, when Louisiana was ready for statehood, the old antagonism flared up again. The New Englanders' fear that acquisition would mean new States was fulfilled. Josiah Quincy declared, "It is my deliberate

opinion that, if this bill passes, the bonds of this Union are virtually dissolved, that the states are free from their moral obligations, and it will be the right of all . . . to prepare for a separation, amicably if they can, violently if they must . . . ” Then he asked if the proprietors of the “good old United States shall manage their own affairs in their own way” or whether, through a breach of the Constitution, the country was to be turned over to foreigners. The people of the Northern States would not permit “the representatives from the Red River and the Missouri to manage the affairs of the seaboard 1500 miles away . . . ”

That there was a real danger that the inhabitants of the old Union would be ruled in the interests of the newer States was evident in the foreign affairs of the Republican administration. European wars had resulted in giving increased profits to American commerce, which both France and England attempted to stop. Both warring nations placed restrictions on American shipping, and American vessels were hampered by a series of British orders in council and Napoleonic decrees. Jefferson, who was both an agriculturalist and a pacifist, could see no reason for going to war with either France or England over commercial rights. Believing that both belligerents could be brought to terms by the application of economic pressure, he persuaded Congress to pass an embargo which would forbid American ships to sail into the war zone. The result was a paralysis of business in the North and a great protest from the New England States. Massachusetts instructed her congressmen to work for the law’s repeal. When, in 1809, the Republican Congress passed a law to enforce the embargo, the men of Massachusetts protested against it on the grounds of

unconstitutionality and adopted Jefferson's old views of strict construction. Talk of resisting the law ran rife, and the legislature passed a memorial and resolve which proposed an amendment to the Constitution securing "commerce and navigation from a repetition of destructive and insidious theories" and another amendment abolishing the three-fifths rule. Moreover, the legislature passed resolutions declaring that an understanding was necessary among the Eastern States to preserve their influence in the National Government.

With startling inconsistency, the New Englanders reasserted Jefferson's abandoned constitutional arguments. In Connecticut the governor called the legislature into special session and delivered them a message setting forth his adherence to the Kentucky Resolutions: "It will be useful for the legislature to take a view of the various measures of the national legislature, during their present and preceding sessions, not only those which have an immediate relation to the embargo, but other acts which have been and are under their consideration, affecting the rights, interests, welfare, and even the peace of the Union. Indeed it would be useful for the general good if the state legislatures were often to cast a watchful eye toward the general government, with a view candidly to consider and judiciously discern, whether the powers delegated to the United States are not exceeded." Further, the governor advised the legislature in terms close to those of the Virginia doctrine of sentinelship that it was the duty of the legislature to protect the people against the aggressions of the National Government. Thanks to New England opposition and to the fact that the farmers of the Middle States were hurt by the loss of the European market, the embargo was repealed, but

New England was soon to have a new grievance against the South and West—this time it was the War of 1812.

The War of 1812 was precipitated by the arrival in Congress of a group of young men from the West. The growth of the West had been rapid, and Western States were increasing in political power. The census of 1810 revealed that New England had suffered at the expense of the rest of the country. While it had remained stationary, the Southwest had tripled its population of 1790 and the Northwest territory had increased still more. Republicans had followed the program of admitting these Western communities to the Union as States. The reapportionment after the census resulted in more Western representatives in Congress. From Kentucky there came young Henry Clay and R. M. Johnson; Tennessee sent Felix Grundy; William Crawford came from Georgia; while the upcountry of South Carolina was represented by William Lowndes and John C. Calhoun. These men were representatives of the West, and in common with the Southerners, were anxious for further expansion. Incensed against England and Spain and the Indians of the Northwest, they were also desirous of acquiring Florida and Canada. Therefore, they forced the hand of Madison and took the United States into a war with England. They were young and vigorous men, certain that the war would end in the acquisition of territory. In the popular mind, the war was fought for the protection of the rights of commerce, but the Federalists from the commercial States of the North were not in sympathy with the "War Hawks." As soon as war was declared, the Federalists in Congress issued an address disclaiming all responsibility for the war and advocating the organization of a peace party to resist the government.

In the days that followed, the government had much trouble with the discontented New Englanders. The governors of New England States refused to furnish militia, quarrelled with the President over the appointment of officers, and insisted, in the words of the Governor of Connecticut, that the United States was a "confederation of states, that we are a confederated and not a consolidated republic." Moreover, the bankers of New England refused to loan money for the conduct of the war. When Congress passed a new embargo as a war measure, the States protested, and when a conscription bill came, the New England States called the Hartford Convention.

Indicative of the attitude of New England to the South and West was a demand of the convention that new States should be admitted only upon a two-thirds vote of Congress. Another proposal advocated an amendment to the Constitution eliminating the three-fifths clause which gave partial representation to Southern slaves. Although the Hartford Convention may have contemplated the ultimate secession of New England, the coming of peace prevented the States from taking action. Moreover, as a result of the war, New England industry began, and within a few years newer economic interests enabled the section to bid for an alliance with the West.

The War of 1812 resulted in no settlement of the commercial issues which existed between the United States and Great Britain. The treaty that ended the war made no mention of the ostensible causes of the conflict, but a series of missions provided for in the treaty made lasting arrangements to preserve peace. Tangible benefits for the South and Southwest did result from the conflict. In the midst of the war, Andrew Jackson led the Tennessee militia against the Creek Indians and destroyed their

power to stop the advance of the settlement. Jackson's victory over the British at New Orleans filled the South-western militia with pride in their accomplishment. Moreover, Jackson marched into Pensacola, and a few years later he further assaulted Spanish sovereignty during the Seminole War. As a result of these campaigns, the South obtained from Spain the territory of Florida and security against Indian wars. Whatever territorial gains resulted from the war inured to the benefit of the South.

### 3. NATIONALISM AND STATES' RIGHTS

The War of 1812 marks a definite intensification of the struggle between North and South. In many respects it may also be said to mark the beginning of Southern decline. In the Jeffersonian period, the new, raw West followed the leadership of the Southern planters in their attacks upon the commercial interests. But as this battle was won, and as the West developed leaders of her own, she began to dispute for the control of the Republican party. The feeble yielding of Madison to the insistent demands of the War Hawks, his bargaining with a congressional caucus for the nomination on the condition of war, marked the rise of the West to a position of power. In many respects the interests of the democratic, small-farming, food-producing West were different from those of the aristocratic, planting, and staple-producing South. Sectional cleavage was to break up the old Republican party of Thomas Jefferson, and with that event there came a valiant fishing on the part of the Federalists of New England for a new alliance with the Westerners. The Westerners wanted from the National Government

certain things which the South was reluctant to grant. The Westerners were in favor of a system of internal improvements, and were willing to grant to the industrialists of New England and the Middle States a protective tariff. The Southerners found themselves increasingly uncomfortable in such an alliance, and as time went on, the Westerners began to realize a closer affiliation between their own nationalism and that of New England.

The period following the War of 1812 was an era of intense nationalism. The war itself had freed the Americans from both intellectual and economic dependence upon Europe, and under the leadership of the new West the country was now launched upon a program of nationalistic legislation. Forgetting both the strict-construction doctrines of Thomas Jefferson and the dogma of States' rights, Western Republicans supported a program which included an increase of the army and navy, a higher protective tariff, a national bank, and internal improvements. On each of these questions a fundamental division in interests between the South and the West gradually became apparent.

One of the first questions to engage national attention after the war was the problem of a national bank. The Constitution made no provision for a national bank, and Jefferson and Madison, realizing the need, had early suggested an amendment. When the bank charter expired in 1811, the war had not yet taught the Republicans the necessity of centralized financial control. Secretary of the Treasury Albert Gallatin advocated renewing the charter, and Calhoun brought in a bill for rechartering, but the movement failed. The war showed the value of a bank, and in 1815, the bank was rechartered. The



President had vetoed the bill, as it did not meet the needs of the country. In his message of 1815, Madison urged Congress to attend to the need for a bank, and Calhoun again introduced a bill for the recharter. The Republicans used the old Hamiltonian arguments, and despite Federalist opposition the bill finally passed.

Investors in State banks were opposed to a national bank which would regulate their activities, and they supported proposals to limit the Bank of the United States to the District of Columbia. Some of the States made efforts to destroy the bank. On May 1, 1818, Maryland began to tax the branches of the bank. The law required that the bank print notes on paper which the State sold, or pay a tax of \$15,000 annually. McCulloch, cashier of the Baltimore branch, refused to pay the tax and was sued. The case came to the Supreme Court, and Marshall gave decision March 6, 1819.

Although Maryland argued that Congress had no right to charter a bank or to give a bank the right to establish branches in the States, Marshall upheld the right of the United States Government to establish the bank. The people of the United States, said Marshall, made the Constitution the supreme law of the land. "Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited but consist with the letter and spirit of the Constitution are constitutional." If the Congress should exceed its power, then it would be the function of the Supreme Court to declare the law unconstitutional.

This decision, in perfect harmony with the prevailing nationalistic sentiment, occasioned an outburst of protest. Madison came out in public condemnation against

"this latitude in expounding the Constitution," and Jefferson thought that the banks would have to conform to State laws, but if not, then "we must shut their doors, and join the other states which deny the right of Congress to establish banks and solicit them to agree to some mode of settling this constitutional question."

In addition to Maryland, Kentucky taxed the bank \$5,000 for each branch established in the State. A Kentucky paper declared, on hearing of the decision in the Maryland case, that Kentucky might as well give up its constitution and return to the status of a territory. In Ohio there was also an attempt to tax the bank. The Ohio case was carried to the Supreme Court and met a similar decision from Marshall. The Ohio Legislature protested, and Georgia responded with resolutions of sympathy. In Virginia, resolutions were introduced stating that the decision was calculated to "sap the foundations and rights of the state governments," and the senators of the State were instructed to seek an amendment to the Constitution which would establish an impartial tribunal to pass upon cases of disputed jurisdiction.

While the bank issue showed the opposition of some of the Southern States to the nationalism of the West, internal improvements showed even more clearly the division between the agrarian allies. The Westerners were far from their markets and badly in need of means of communication. Canals and highways were essential if the West was to develop. Unable to bear the burden of construction of such enterprises, the governments of the new States looked to the National Government for help. Southerners, on the other hand, were not in need of extensive improvements. The Southern rivers flowed to the sea, and Southern planters had little trouble in

floating their cotton to the coast, where it could be transhipped to European markets. After the War of 1812, European markets were not so important to the Westerners. The end of the Napoleonic wars resulted in increased production in Europe and consequent losses to Western farmers. At the same time, the end of the war in Europe increased the demand for cotton and made the South prosperous. With navigable rivers and a good market, they were satisfied and were unwilling to be taxed for internal improvements. The Westerners, with poor means of communication and a falling market, wanted something done for them. Over internal improvements the West and South came to the parting of the ways.

The problem of internal improvements had long been before the country. When Jefferson came to the Presidency, he proposed to Congress that they initiate an amendment to give the National Government the right to build certain highways. Congress began such an amendment, although many of the Western members were certain that the government had the necessary authority. More and more the Westerners were concerning themselves about internal improvements. When Henry Clay arrived in Congress, one of his first acts was to provide for an appropriation for a bridge, and on his side were numbered most of the War Hawks, Calhoun among them.

The War of 1812 showed the need for more military roads, and Madison favored doing what could be done within the limits of the Constitution. He, too, proposed an amendment giving the government power to build roads and canals. But the congressional leaders had no patience with the slow processes of constitutional

amendment, and under Calhoun's leadership proceeded to pass the Bonus Bill. This bill would distribute the bonus paid by the newly rechartered bank to the States to aid them in building roads and canals. Madison considered the Bonus Bill unconstitutional and vetoed it. Monroe was also a representative of the Southern interests and held to Madison's views. Calhoun spoke again in favor of internal improvements, asserting that Congress had the power to build roads and canals.

In 1817 Barbour, of Virginia, introduced in Congress an amendment which would give Congress the right to build roads but only with the consent of the States. He also proposed that distribution of public funds to the States should be in accordance with population. A committee of Congress, headed by Tucker, also of Virginia, reported that Congress already possessed the right. The proposed amendment caused considerable uproar in the South. Leaders of the Republicans began to see a new attempt to increase the power of the National Government at the expense of the States. Once again the theory of States' rights was called upon to protect Southern property against national taxation.

#### 4. THE MISSOURI COMPROMISE

In the midst of this wave of ebullient nationalism, there came a conflict which laid bare the underlying division of the sections. The application of the Missouri Territory for admission as a State brought to a head New England's objection to the growing West and to the increased representation which slavery gave to the South. In the Constitutional Convention there had been a conservative objection to the admission of new communi-

ties on equal terms with the older States. The constitutional provision that Congress might admit new States left the question of their status unsettled. Eastern conservatives doubtless hoped that restrictions might be placed on the newer States. Under the Federalist regime it had appeared impossible to admit Kentucky and Vermont on a lower basis, and Jefferson's Republicans had no desire to deprive the West of full equality. New England had raised objections to the purchase and admission of Louisiana, but the Southern desire for more cotton lands had carried the plantation system into the new region.

As the South blocked the desires of the Northwest for internal improvements, the Westerners were more likely to listen to the protests from the Federalist sections. The desire to overthrow the swollen political power of the South became one of the primary reasons for the Northern opposition to the institution of slavery. If the South's representation could be reduced, then the East could obtain an alliance with the Northwest and secure legislation in favor of industry. The commercial sections had tasted the spoils of office and of power under the brief regime of Hamilton, and they wished to return to the fleshpots of the National Government.

Content in their position, the Southerners were unwilling to pass legislation for the benefit of the industrial States, perceiving that the growth of industry would bring a preponderance of power to the North. Since agricultural States could not support so great a population as could industrial regions, Southerners were determined to render no benefits to industry while they expanded the area of the plantation system in order that new States might counterbalance the growth of the North. South-

erners were well aware that immigrants from Europe never sought the shores of the South but went instead into the lands where labor was free. Moreover, there were frequent migrations from the South. Many a yeoman farmer, of Methodist or Baptist or Quaker proclivities, left the South for the Northwest in silent protest against a system of slavery which denied him equality of opportunity with the great slaveholder. By 1819 it was evident to the Southerner that his institution had to expand in order for him to maintain his position of importance and control in the government. It was equally obvious to the New Englander that if the Southern expansion could be stopped, the power of the Northern States would be increased. Already the dominance of the South in the House of Representatives had been lost through the growth of Northern population. The South, therefore, became even more interested in maintaining equality in the Senate.

Not all of the Southerners were in favor of extending slavery in order to gain more slave States. Just four years had passed since the formation of the American Colonization Society, and in the upper tier of slave States there were no benefits yet apparent from the coming of cotton. Although the Virginians were still opposed to slavery, they were agrarians who saw the need for more land, and they hoped that slavery's evils would be mitigated by diffusion.

The Missouri Territory was settled by these expanding Southerners who had followed the course of the Missouri River and occupied its fertile valley. By 1817, the people were ready for admission as a State, but Congress took no action. In 1818 the Territory renewed its re-

quest, and on February 13, 1819, a committee of Congress reported an enabling act. On the same day James Tallmadge, Representative from New York, offered an amendment providing that the further introduction of slavery or involuntary servitude, except for the punishment of crimes, be prohibited, and that all slave children born in the State after admission should be freed at the age of 25 years. This Tallmadge amendment raised the question whether Congress could place a restriction on a member of the Union. Contending that the Union was one of equal States, the South hastened to deny any Congressional power to limit a State's sovereignty. Rufus King, of Massachusetts, presented the Northern case by launching an attack on slavery. The vote on the Tallmadge amendment showed a definite sectional cleavage with but one Southern vote for it. The House stood 87-76 in favor of prohibiting the introduction of slavery and 82-78 in favor of freeing slaves already there. In the Senate, the bill was lost by a vote of 22-16 on the first part and 31-7 on the second. The original bill, without the Tallmadge amendment, was then passed by the Senate and sent to the House. But the House refused to accept it without the Tallmadge amendment. Immediately there came a flood of mass meetings expressing the opinion of the people and the States on the issues. In Missouri there was widespread opposition, and business in St. Louis was stagnant while the bill was discussed. In New York, Philadelphia, and New Jersey popular gatherings asserted that Congress had the power to exclude a State or to impose conditions on its admission. In Boston Webster spoke and Josiah Quincy sent resolutions to Congress affirming that opening a new

territory to slavery was contrary to the end sought by the Union and contrary to the opinions of the leaders of the old slave States themselves.

During the next session of Congress the matter was again debated, and in the States the agitation continued. The Virginia House of Delegates resolved that Virginia would support Missouri in her rights, while Pennsylvania's legislature declared that a bill to admit Missouri as a slave State was a measure tending to impair the political relations of the States and to mar the social happiness of present and future generations. It would perpetuate an odious stain, would be a covenant with crime, and contrary to duty to God and the fathers of the Republic. The Kentucky and Maryland Legislatures protested against imposing conditions on a State, while New York declared that Congress had the power and the duty to restrict slavery.

In the end, the Senate and the House agreed to a compromise. Massachusetts had given the Maine district permission to apply for admission, and this application was before Congress. Early in the debates a suggestion had been made to divide the Louisiana Purchase territory between the free and slave States. The final compromise combined these proposals. Missouri was admitted as a slave State, Maine as a free State, and the remainder of the Louisiana Territory was divided along the line of  $36^{\circ} 30'$ . Slavery was prohibited in new States north of that line and permitted in the region to the south.

On February 17, 1820, the Senate accepted the Compromise by a vote of 34-10. Every Northern senator except those from Indiana voted for it, the Southwest



gave it 9-1, and the South were 3 to 7 against it. The final vote in the House showed 134-42. Extremists on both sides were opposed. The Southerners were divided evenly 38-37 for the proposal. Virginians, holding strict-construction views of congressional power, were 4-18 opposed to the Compromise.

There was some question whether Monroe would approve the Compromise. In Virginia there was considerable sentiment in favor of a veto. Desiring re-election, President Monroe delayed action until a shift occurred in Virginia opinion which enabled him to sign the bill. In the midst of his indecision, the President consulted his Cabinet. Calhoun, Secretary of War, and Crawford, of Georgia, and Wirt, of Virginia, agreed that Congress had the power to prohibit slavery in the territories. But they declared that Missouri might repudiate the conditions after admission.

In Missouri, where slaveholders had complete control, there was much agitation. When the constitutional convention met, it provided for the security of slavery and prohibited the legislature to manumit slaves without the consent of the owners and without giving compensation. The legislature was instructed to prevent free Negroes from entering the State.

Such flaunting of Northern prejudices precipitated another debate in Congress, and for a time it seemed that Missouri would be denied admission. However, congressmen were tired of the discussion and it was decided to extract a promise from the legislature that they would not discriminate against the citizens of any of the States. The Missouri Legislature gave surly acquiescence, and Monroe, anxious to be rid of the matter, accepted it.

The Missouri question involved a constitutional problem of the nature of the States, but more deeply it involved the economic well-being of the respective sections. Thomas Jefferson, looking upon the situation with the jaundiced eye of a professional politician, declared that the Federalists had raised the question as a party trick. They had sought to divide the people geographically, and had taken advantage of the virtuous feeling of the people on the matter of slavery. The trick served them well, for from that time slavery was never absent from national politics. Northerners seized eagerly upon a moral issue with which they might attack the Southern people and their economic system. Rufus King, descendent of the old Federalists, frankly avowed that he was opposed to the extension of the political power of slavery, and Southerners were ready to believe that a discarded Federalism was attempting to create a new party along geographical lines in which New England would have the power. Even J. Q. Adams believed that King had set on foot a concert of measures which would form the basis for a new sectional alignment of parties.

By the Missouri Compromise the North won an apparent victory. She had secured the consent of the South to the exclusion of slavery from the greater part of the Louisiana Purchase. The exclusion was limited to the territorial period, but Southerners would not migrate to a region which was closed to slavery. Harmony of sectional relations was at an end, and Jefferson predicted that the Union would split over slavery. The clash over Missouri marked the end of the alliance of South and West and drove the South to take refuge in the old doctrines of States' rights.

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## CHAPTER IX

### SOUTHERN REACTION TO NATIONALISM

#### 1. PARTY POLITICS OF THE TWENTIES

FROM the time of the Missouri Compromise the industrial centers, which had been the strongholds of the old Federalist party, never lost sight of the possibility of injecting a moral issue into American politics. The effort to win an alliance with the farmers of the Northwest was to continue through the careers of Webster and Clay until the union was finally consummated in the victory of the Republican party. In the end, a combination of economic interests and moral enthusiasm arrayed the Northern sections against the South. The process, however, was slow, and for a long time the momentum of an early alliance kept the agricultural sections nominally united in political fellowship.

Throughout the decades from 1820 to 1850 the South and West each developed institutions, social customs, and a philosophy of life which were at loggerheads. The Northwest was a land of small farmers who produced foodstuffs rather than the great staples of the South. Wheat, corn, cattle, and hogs constituted the major products. The Northwest Ordinance prohibited slavery and prevented the development of large landed estates worked by laborers of fixed status. Wages were high and the propertyless laborer could acquire a farm with comparative ease. To supply the needs of the surrounding farms,

villages and small towns developed as centers of trade and commerce. Merchants, lawyers, and physicians were to be found in the towns, and small manufacturing plants and the rudiments of the service industries sprang up. In the South the plantation system supplied the necessary services, and slave handicraft supplied the manufactured goods needed in the slave community. In the Southwest men looked forward to obtaining a plantation: in the Northwest wealth came through commercial or industrial channels. The Northwest needed internal improvements, the common man demanded schools, and the villages strove to become commercial towns and the towns to become industrial cities. These differences in economic and social organization lay at the base of an increasing divergence in politics. Eventually the Northwest came to feel a closer affiliation with the industrial regions of the East than with its older agricultural ally to the South.

The forces at work beneath the surface were not apparent during the administration of James Monroe. Elected in 1816 by an overwhelming majority over his Federalist opponent, he was re-elected without opposition in 1820. In that year but one elector cast his vote for another. One elector, suspicious of Monroe, cast his vote for J. Q. Adams. Yet the Federalist party was not dead. Jefferson feared that Federalism would revive after the Missouri controversy. Eight of the members of Congress from Massachusetts claimed adherence to the dying party, while half the delegation from Maryland, mostly commercial representatives from Baltimore, and six from each of the States of New York and Pennsylvania were Federalists. It was no more than a nucleus, but it might cause trouble in the future.

Monroe's administration has been known as the "era of good feeling." The good feeling, however, was all on the surface. Underlying an exterior harmony was the bitterness of sectional rivalry and the jealousies of sectional candidates for the succession. Each of the sections of the country had a Presidential candidate who represented its interests and who was willing to make concessions to the other sections to obtain the Presidency.

The New England States were represented by J. Q. Adams, Secretary of State; the South, by Crawford, Secretary of the Treasury; and Calhoun, Secretary of War. In addition to these Cabinet members there were two representatives of the West: Henry Clay in Congress and Andrew Jackson in Tennessee, who between them embodied the conflicting interests of the agricultural sections. The quarrel between these contenders for the succession intensified the growing sectional disputes in the Nation.

John Quincy Adams was not the best representative of New England interests, but his experience in public affairs was greater than that of any of his rivals. In his boyhood he had accompanied his father to Russia and in the succeeding years he served in the American missions to France, Holland, Sweden, Russia, Prussia, and England. Returning to the United States, he was elected Senator from Massachusetts. His support of Jefferson on the embargo caused an irate legislature to elect his successor two years before his term expired. Thus repudiated, Adams resigned, and Jefferson sent him to Europe. Adams himself was a man of the deep culture of his native New England, broadened by his foreign experiences. His long career had made him familiar with Europe and widened his outlook; but despite his obvious ability, Adams was never a popular man. He had inherited too much of

the Puritan moral precepts to be personally liked. Puritan to the core, he worked with regularity and devotion, rising at dawn and laboring until midnight. He was, as he recorded in his diary, "a man of reserved, cold, austere and forbidding manners." The problem which he faced in his struggle for the succession was to conciliate the South, harmonize his enemies in New England, and gain support in the West.

Crawford was from the Georgia frontier, had been a conservative and a Federalist, but had finally come to stand with Virginians Madison and Monroe on most issues. He was generally considered the heir apparent of the Virginia dynasty. He was anxious to make the necessary compromises.

While Crawford continued the traditions of the older South, John C. Calhoun represented the change which cotton had brought in the Carolinas and the Southwest. Cotton had brought unity between the upcountry and the low country, and Calhoun, product of the Carolina upcountry, was soon to become the voice of the cotton capitalist. The Calhoun family had followed the customary pathway of the Scotch-Irish from Pennsylvania through the valleys and the gaps to the mountains of western South Carolina. John C. Calhoun's grandmother had been killed by Indians; his father had fought on the patriot side in the Revolution and had been identified with the radicals. But cotton had come into the uplands while John C. Calhoun was still a boy. The family had purchased a single slave to work the cotton field. Other slaves were added, and by the time young Calhoun entered a Presbyterian "log college," the family was on the way to becoming planters. After the log college, Calhoun went to Yale and from there to Litchfield, Connecticut, to



read law in the office of a Federalist. But the frontier was still strong within him, and he remained attached, verbally, to the principles of Thomas Jefferson. In reality, however, the Calvinism of his faith, the training among the Federalists, and his own identification with the planters were to make him the supporter of property rather than the defender of Jeffersonian equalitarianism. After his return to South Carolina, he married his cousin, Florence, the daughter of a low-country planter, and completed his identification with the planters and the aristocracy. In 1810 he was elected to Congress and took his place with the nationalistic War Hawks. He was still a representative of the West and supported the War of 1812, among other reasons, because South Carolina wanted the annexation of Florida.

In his first days in Congress, during and following the War of 1812, Calhoun was a nationalist. In 1817, supporting a move for internal improvements, he warned the Nation against a "low, sordid, selfish and sectional spirit." "In a country so extensive," he proclaimed, "and so varied in its interests, what is necessary for the common good may apparently be opposed to the interests of particular sections. It must be submitted to as the condition of our greatness." The Constitution, he proclaimed, was broad enough for the whole Nation, and was not the fit subject for finespun theories about the limitations of its powers. Like Crawford and Adams, Calhoun hoped to get control of the South and win support from the nationalistic West.

The West held the key to the politics of the twenties and was no longer dependent upon the South for leadership. Both Henry Clay and Andrew Jackson came from beyond the mountains, and each had a program which would result in Western dominance of the Nation. Henry

Clay was from Kentucky, a State which combined the characteristics of the upper South and the Ohio Valley. Kentuckians raised tobacco and hemp with the assistance of Negro slaves, but they considered themselves equally fitted for industrial development. The Ohio River brought Kentucky into touch with the Northwest and with the commercial regions. Personally, Clay embodied the impetuous, high-spirited characteristics of his region. He was ambitious for the Presidency and hoped to win it by making a new alliance of the East and the Northwest.

Clay's program, which he called the "American System," was set forth in the debates on the tariff of 1820. From his first days in Congress Clay had supported internal improvements. Gradually, as New England and the Middle States came to demand a protective tariff, the Kentucky orator extended his platform to incorporate and reconcile the interests of these sections. In its simplest form, Clay's "American System" proposed a high tariff which would protect the "infant" industries of the North. The revenues obtained at the customs houses would be used for the development of roads and canals in the West and for improving the navigation of Western rivers. The internal improvements would enable the Westerners to take their wool and hemp to the Eastern mills and carry the products of those factories to the Western markets. The food-producing West would feed the manufacturing East. The combined votes of the united sections would place the author of the "American System" in the White House.

While Clay was able to voice the economic demands of the Northwest, his appeal lay largely to men of property. In contrast, Andrew Jackson brought to the contest a definite emotional appeal. Scotch-Irish in his antece-

dents, Jackson had been born in the Waxhaws district near the border line between North and South Carolina. As a boy, he helped fight Tories in the Revolution, spent a riotous youth in the Carolinas, and in 1788 migrated to Nashville. There he practiced law, administered a crude frontier justice during a brief judicial term, and entered the United States Senate during the last days of Washington's administration. Resigning from the Senate, Jackson speculated in Tennessee lands and in the more turbulent phases of Tennessee politics. He commanded the Tennessee militia in Indian campaigns and emerged from the battle of New Orleans in 1815 as the only authentic military hero of the War of 1812. Although he was personally identified with the planter aristocracy in Tennessee, Jackson was the popular idol of the frontiersman of the West and of the democratic classes in the older States.

From the time of the election of 1820 these candidates were before the country, and the politics of the "era of good feeling" centered around them and the sectional interests which they represented. The acquisition of Florida reacted in favor of Jackson, who dramatically invaded the province, and Adams, who as Secretary of State succeeded in persuading Spain to enter negotiations to sell the region. Clay in the House, alarmed by the popularity of his Western rival, denounced him and warned the country of the danger of a military dictatorship. In the Cabinet, Calhoun and Crawford proposed a court martial for Jackson for his flagrant disregard of international law.

The Missouri controversy cut across the party lines. Clay's efforts to compromise the question cost him support in New England. Crawford had hoped to benefit from the reaction in the North, but New York and Pennsylvania

broke away from the old Virginia alliance on the issue. Jackson profited from the distress of his rivals. He was Governor of Florida at the moment, and safely avoided any commitment. As a slaveholder he was not suspected by the Southerners, and his Western popularity was undimmed. Calhoun, too, kept silent, but his silence availed him nothing. The separation of New York and Pennsylvania from the old alliance benefited Adams, who saw as clearly as Clay the possibility of aligning the West and the North.

The election of 1824 showed that no one of the sectional candidates could carry the country. Jackson led the field with 99 votes, Adams had 84, Crawford 41, and Clay 37. Calhoun had dropped out of the Presidential race when Pennsylvania's Democrats voted in the State Legislature for Jackson. The South Carolinian entered into a tacit agreement with Jackson's managers by which Jackson's support would be given to Calhoun in 1828. Calhoun was safely elected Vice-President, but the names of Jackson, Adams, and Crawford were thrown into the House of Representatives. Jackson's followers insisted that the House should fulfil the popular will by electing their hero, but Clay had great influence in the House. In his political philosophy Clay was closer to the aristocratic New Englander than to his democratic rival from the West. Adams and Clay had served together as American commissioners to negotiate the Treaty of Ghent which closed the War of 1812. Although they were opposites in personal characteristics, each respected and understood the other. Each realized the political potentialities embodied in the "American System." Although Jackson's managers approached Clay with tentative offers of a Cabinet appointment, Clay threw his support to Adams, and the new President, ig-

noring the charges of "bargain and corruption" which the Jackson men raised, made Clay his Secretary of State.

The new administration gave an opportunity to test in practice the tenets of the "American System." The result was a return to Hamiltonianism and the adoption of a nationalistic program which would benefit North and Northwest at the expense of the South. Jackson's belligerency was aroused by the alleged bargain between Adams and Clay, and he immediately began to campaign for the Presidency in 1828. Opponents of the "American System" in South and Southwest united with Jackson men in waging war upon the administration. Although they disliked the popular democracy which hailed Jackson as a hero, the representatives of the Southern planters cooperated with the men of the Southwest in attempting to embarrass Adams. Calhoun and Jackson cemented their earlier agreement to unite to give Jackson the Presidency in 1828 and make Calhoun his successor. Throughout the South men regarded the acts of the administration with a growing suspicion.

The "American System" had a foreign program in which both Adams and Clay were vitally interested. As Secretary of State under Monroe, Adams had been largely responsible for the Monroe Doctrine, which was designed to gain the good will and the trade of the South American nations. Clay not only wished to preserve the independence of American producers behind a tariff wall but he also hoped to benefit both the New Englanders and the Western farmers by opening up Latin American markets. With Adams President and Clay Secretary of State, the government took a greater interest in encouraging trade with the South Americans. In December, 1825, Adams and Clay presented to the Senate plans for inter-American

co-operation through a congress in which the representatives of the American nations would consider their common interests.

Immediately there was a protest from the Southern States. Haiti was a Negro republic created by slaves who had risen against their white masters. Southerners would neither do anything for New England commerce nor co-operate with revolutionary Negroes. John Randolph declared that the South would never have an alliance with states which placed Negroes on a plane of equality with whites and whose armies were commanded by mulatto generals. In the Senate R. Y. Hayne, of South Carolina, declared "with nothing connected with slavery can we consent to treat with other nations." The Southern protest delayed action until after the Panama congress had been held.

In addition to this incident, Adams did other things to antagonize the South. In the same message in which he proposed to send delegates to the Panama congress, the President proposed a plan of internal improvements. He favored the building of roads and canals, universities and observatories, all at the expense of the general government. Again the South was in opposition. The Legislature of Virginia protested against the exercise of such unconstitutional powers, and representatives of the agricultural classes generally denied the constitutional authority for internal improvements. Southern opposition was largely responsible for the failure of Adams's program.

In still another respect was there trouble with the South during Adams's administration. The case of Georgia and the Cherokees showed clearly that the nationalistic government of Adams and Clay would have little respect for the wishes of the States. The question of

the removal of the Indians from Georgia had long been before the Nation. In 1802 Georgia had ceded her lands to the government on the condition that the United States should remove the Creeks and the Cherokees as soon as possible. These civilized, agricultural Indians were protected against coercion by the Federal Government and were unwilling to make treaties ceding their lands. Annually the Georgians made efforts to purchase lands from the Indians, and in 1824 the Cherokees announced that they would sell no more lands. The Indians feared that they would be exterminated if they removed to the West and settled near other and savage tribes. The Governor of Georgia, George M. Troup, led the Georgian demand that the United States expel the Indians by force if they would not sell their lands. In February, 1825, at Indian Springs, McIntosh, chief of the lower Creeks, signed a treaty with Federal Indian commissioners. But the Creeks alleged corruption in the making of the treaty and killed their chief and rebelled. Adams sent General Gaines to Georgia, and soon Gaines was quarrelling with Troup. Meantime, Adams became convinced that the treaty was spurious, and negotiated a new one in which the Creeks ceded a large area. This was ratified by the Senate in 1826. The action quieted the State; but when Georgia began to survey the region for future settlement, there were further disorders, and the President interposed at the request of the Indians. Defying the Secretary of War, Troup called out the militia. The result was a debate in Congress with the Southerners leading an attack on the President. The question of the Indians was not settled until Andrew Jackson was in the White House. With no respect for the Indians, Jackson ordered their removal west of the Mississippi.

## 2. THE SOUTH AND THE TARIFF

Southern opposition to the Neo-Federalism of Adams and Clay came to a head over the tariff. In 1816 John C. Calhoun had sponsored a tariff bill and many Southerners had supported the measure. In the years after the War of 1812 there were a number of schemes for the development of Southern industry, and Southerners were willing to approve a national program of protection. The development of the Southwest and the failure of some early industrial enterprises caused Southerners to accept the theory that their section was adapted to agriculture only. In 1820 the South, partly as a result of their resentment against the North for having stirred up the Missouri controversy, cast but nine votes for a tariff measure.

After the defeat of the tariff bill of 1820 by the combined opposition of the agricultural sections, the Northern industrialists kept up a continuous agitation for protection. The Southerners, suffering from a decline in cotton prices, blamed their distress upon the tariff rather than upon the increased cotton acreage opened in the Southwest. South Carolina, whose poorer lands suffered most from competition with the new cotton fields, was most outspoken against the tariff. Even in 1816 there was in the State a discordant element who condemned Calhoun and Lowndes for their part in enacting the tariff. As the tariff advocates continued their demands, the South Carolinians grew more articulate, and the State's political leaders gave heed to the prevailing sentiment. Calhoun abandoned his tariff views and George McDuffie, originally more nationalistic than Calhoun, became an ardent protagonist of States' rights.

In December, 1824, Governor Wilson warned the legis-



lature against nationalistic tendencies. "Every friend of our present Constitution in its original purity," he declared, "cannot but have witnessed the alarming extent to which the Federal judiciary and Congress have gone toward establishing a great and consolidated government subversive of the rights of the States, and contravening the letter and spirit of the constitution of the Union. The act of the last session appropriating money to make surveys is but an entering wedge which will be followed, no doubt, by the expenditure of millions. Unless the people apply the proper corrective, the day, I fear, is not far distant, when South Carolina shall be grievously assessed, to pay for the cutting of a canal across Cape Cod. . . ." The legislature condemned both internal improvements and the tariff, and in December, 1825, it asserted that the people had an inalienable right to protect themselves against unconstitutional exercise of power. In 1826 a mass meeting in Charleston adopted resolutions against a system which was "designed to elevate one interest in society to an undue influence and importance; against a system intended to benefit one description of citizens at the expense of every other class." The lower house of the State Legislature, basing their arguments upon the discrimination against Southern products, sent a formal protest to Congress.

The tariff of 1824 was not sufficiently high for the Northern protectionists, and in 1827 a bill for increasing the duties on woolen goods was introduced in Congress. North and West succeeded in putting the measure through the House, and there was a tie vote in the Senate. For a long time Calhoun had been watching the development of Southern sentiment. Secure in the Vice-President's chair, he had escaped having to commit himself on the

issue. In 1825 he had made a speech which seemed to favor a tariff, but the growing opposition in the South had convinced him that the system which he had once advocated as a means of conferring general benefits had resulted in the aggrandizement of selfish groups of a hostile section. Virginia and Georgia had joined South Carolina in condemning both tariffs and internal improvements. With the eyes of the South upon him, Calhoun made his decision and cast his vote against the woolens bill.

Defeat of their project aroused the protectionists, and in the summer of 1827 they assembled in Harrisburg, Pennsylvania, to formulate their program. They advocated a general increase in tariff rates and demanded congressional action. The year 1828 was a Presidential year, and the friends of Jackson were anxious to gain the votes of the industrial sections and break the "American System" alliance of Adams and Clay. With much intrigue the Democrats sponsored a new tariff which would injure Adams without losing support in the South. The bill which they drew up provided for high rates on raw materials—which New England wanted low. It was expected that the President would veto the measure in order to retain the support of his home section while Jacksonians would get credit for being friends of the tariff without having to meet the protectionists' demand. Disgusted with the proceedings, John Randolph declared that no manufacture was concerned except "the manufacture of a President of the United States." But there had come a change in New England since the War of 1812. The wealthy men of the section had transferred their investments from ships to factories and were ready to support a tariff. A majority of New England's representatives voted for the measure and Adams was able to sign the

bill without political disaster. The Southern congressmen were almost solidly opposed. In the course of the debate on the bill, R. Y. Hayne, of South Carolina, was told by one of the proponents of the measure that the South should set up factories. Hayne replied that slave labor was not a sufficient basis for the project. Thomas Hart Benton, of Missouri, charged that the tariff enabled the North to surpass the South in wealth and forced the South to borrow money from the North. South Carolina's George McDuffie declared that protective tariffs would introduce the political debauchery of Rome, subvert the liberties of the people, and destroy the Republic. In fact, the South feared that with immense profits accruing to the factory, both the farm and the cotton field would decline in importance. In the South, men began to call the tariff one of abominations, and to whisper disunion. The Charleston *Mercury* of June 30, 1828, noted that the exasperation of the people was beyond measure, and declared that there would be rejoicing if the Southern States should secede. Calhoun told Duff Green, editor of the Washington *Telegraph*, that "the rights of the Southern States have been destroyed and must be restored—that the union is in danger and must be saved." On the Fourth of July, 1828, in South Carolina, a toast was offered to "the hemp of Kentucky—better suited for cravats for the Kentuckians and tariffites than for the covering of South Carolina cotton." Dr. Thomas Cooper, president of South Carolina College, was eager for disunion; George McDuffie was ready for an appeal to arms; and Charles Cotesworth Pinckney proposed the toast, "Southern Rights and Northern avarice. When the constitution is degraded to destroy the one and support the other, resistance is a virtue."

Despite South Carolina's opposition to the tariff, the State supported Jackson in the election of 1828. Adams carried New England, but the West, forgetting the benefits of the "American System," voted for the popular hero. The Jacksonian Democracy was in many respects a return to the party of Jefferson. It was based upon the alliance of the agricultural regions against the commercial and industrial sections and numbered among its supporters the artisans of the Eastern cities. Farmers of New York were marshalled by Martin Van Buren against the urban centers of the State, and throughout the West an enthusiastic Democracy rallied against the aristocratic classes. Within this victorious party the discordant element was the aristocratic planters of the Tidewater and the cotton-producing South. The leader of this group was John C. Calhoun.

### 3. THE NULLIFICATION CONTROVERSY

The alliance between the South and the West was not destined to continue for long. Despite the fact that he was himself a planter and aristocratic in his own pretensions, Jackson was supported by the democratic elements of the West. On the other hand, Vice-President Calhoun had aligned himself with the Southern aristocrats. To him was to go the distinction of turning the liberal philosophy of the Revolutionary period into a weapon of the cotton capitalists. The principles of the Kentucky and Virginia Resolutions were transformed by Calhoun into the constitutional theories which were to protect the property holders of the South in the possession of their acres and their slaves.

Representing different tendencies, it is not surprising

that Jackson and Calhoun should have quarrelled. For his first Cabinet, Jackson selected Southerners of the Calhoun wing of the Democratic party as well as supporters of Van Buren, representative of the Democrats of the Middle States. Ambitious to displace Calhoun as heir apparent to the Presidency, Van Buren schemed to undermine the South Carolinian. Hardly had Jackson announced his Cabinet when all Washington launched into a bitter social war. The Secretary of War, Eaton, one of Jackson's closest friends and political managers, had recently married Mrs. Peggy Timberlake, a vivacious young widow who was the daughter of a Washington tavern keeper. Scandal's cruel tongue had long since singled out Peggy O'Neill, and the ladies of official Washington were scandalized when the object of their gossip became a lady of the Cabinet. Since Jackson was a widower, Mrs. Florence Calhoun, prominent in her own right in South Carolina society, considered herself the "first lady of the land." With Mrs. Calhoun's support, the wives of the Cabinet members determined to ostracize and ignore Mrs. Eaton. But President Jackson, remembering that gossip had seared his own recently deceased wife, gave his sympathies to Mrs. Eaton. In the resulting teapot tempest, the embarrassed husbands of the Cabinet followed the social edicts of their irate wives and suffered the President's displeasure. Free from uxorious entanglements, the widower Van Buren gained Jackson's favor by paying ostentatious attention to his colleague's maligned mate.

Before this storm subsided, Van Buren revealed to the President the long-hidden fact that Calhoun had wished to censure Jackson for the invasion of Florida. The general had known that such a proposal had been discussed in the Cabinet at the time, but Calhoun had allowed him

to believe that Crawford had been responsible for the suggestion. Scrupulously honest himself, and unable to distinguish between personal enmity and political disagreement, Jackson concluded that Calhoun had been guilty of deliberate deception. Under Van Buren's tutelage, the President proposed to wait a favorable moment for forcing a break with the Vice-President. In the meantime Calhoun perceived that his alliance with the Jacksonian element would not put him in the White House and assumed the leadership of the South Carolina discontent and made a bid for the support of the other Southern States.

During the summer of 1828, while a candidate for the Vice-Presidency, Calhoun consulted with the leaders of South Carolina politics. All of them were opposed to a tariff, and when a committee of the legislature called upon him for advice, Calhoun wrote the "South Carolina Exposition and Protest." With its authorship concealed, the Exposition was presented to the legislature and distributed to the country. The Exposition revealed the high qualities of Calhoun's philosophical mind. With devastating logic the South Carolinian set forth his State's constitutional and economic objections to the tariff and defined the process by which the State could take lawful steps to prevent discrimination against her interests.

Calhoun thought clearly and concisely on the nature of the Union. Rejecting the muddled reasoning by which Marshall and the Federalists had spoken of a divided sovereignty, Calhoun declared that the States had not abandoned their sovereignty when they had accepted the Constitution. The Union had always been a compact between sovereign and equal States. When they entered the Union, they created the Federal Government to act

as an agent to carry out certain specifically delegated powers. The Constitution, instead of creating a sovereign nation, was but the body of instructions which the principals gave to the agent. The States were the judges of the instructions, and not Congress or the Supreme Court.

That the Federal Government, acting as the agent of the States, had violated the Constitution in enacting tariff legislation seemed clear when the economic results were examined. The Southern staples constituted three-fourths of the exports of the United States. "We export to import . . .," declared Calhoun, and "the Government is supported almost exclusively by a tax on this exchange." It followed, therefore, that the Southern States, composing one-third of the Union, paid two-thirds of the expenses of the National Government.

Although Calhoun's arguments were clearer than Jefferson's, he had not passed beyond the Kentucky and Virginia Resolutions. Jefferson had gone as far, but the Virginian had failed to devise a process by which the encroachments of the National Government might be checked. Calhoun was not a strict constructionist of the Constitution, but he found in the reserved rights of the States the machinery which Jefferson had sought in vain. Calhoun proposed that a State convention, representing the full sovereign power of the State, should assemble and suspend the operation of an unconstitutional law. By declaring an act of Congress null and void within the State, the convention would "create a presumption against the Constitutionality of the power exercised by the General Government" which would result in either an abandonment of the power or a submission of an amendment to the other States. If three-fourths of the States agreed to the

amendment, then "a disputed power will be converted into an expressly granted power"; while a refusal would "be tantamount to an inhibition of its exercise: and thus, in either case, the controversy will be determined."

The Exposition was not adopted by the South Carolina Legislature, but it was circulated in the country in the weeks before Jackson came into office. For a year there was no action, but Calhoun and the South Carolinians waited for an opportunity to gain converts. Calhoun faced the task of uniting the South and the West under a new formula of States' rights. Unlike Jefferson's, which had first applied the compact theory to the American Union, Calhoun's appeal was made in behalf of the conservative, slaveholding classes and was as much opposed to the democratic principles of the Jacksonians as it was to the industrialists who profited from the "American System."

Opportunity to present the South Carolina doctrines came in January, 1830. Senator Samuel Foote, of Connecticut, expressing the prevailing New England opposition to Western growth, introduced resolutions to stop the survey and sale of Western lands. Missouri's Benton immediately took up the challenge and presented the Western view that lands should be sold cheaply and that the unauthorized squatter should be given pre-emption rights. The debate between East and West gave the Southern advocates of States' rights an opportunity to present their cause. They could show the West that South and West were equally victims of Eastern policies. The West might adopt the program of nullification and set aside unpopular land laws. Robert Y. Hayne, a brilliant orator of much grace, arose to present the South Carolina theories, pointing out that they were the doc-



trines which had "saved the constitution at the time of the Alien and Sedition Acts." Hayne ably presented the cause of States' rights, but Daniel Webster, Senator from Massachusetts, took up the cudgels in behalf of Federalism. The National Government, declared Webster, was created by the people of the United States and not by the States. The Union was older than the States and had created them. The Constitution was designed "to establish a Government that should not be obliged to act through State agency, or depend on State opinion and State discretion." Moreover, the framers of the Constitution provided for a "suitable mode and tribunal for settling questions of constitutional law" by making the document the supreme law of the land. Nullification, declared the New Englander, was revolution. The discussion clarified the constitutional issues, and each side withdrew from the "great debates" claiming victory. It remained to be seen how the West would respond.

To a large extent this issue was resolved by the action of Andrew Jackson. Calhoun's supporters were in control of the Democratic party and they planned to force Jackson to make a declaration at the Jefferson Day gathering of the party chieftains. Although the Southerners had attempted to convince the President that Calhoun's theories were the will of the party, Jackson offered a toast, "Our Federal Union—It must be preserved." The President had accepted the constitutional theories of Daniel Webster, and the West would follow him. Shortly after, Jackson demanded that Calhoun explain his conduct at the time of the Seminole War. Dissatisfied with Calhoun's evasive answer, The President severed personal relations with the South Carolinian, gave his support to Van Buren, and swept Calhoun's supporters

out of federal offices. He called Frank Blair from St. Louis to edit the *Globe* as the administration's official paper in place of Duff Green's *Telegraph*, which remained loyal to Calhoun.

With a split in the Democratic ranks, Henry Clay hoped to become President. In support of his candidacy he sponsored a new tariff bill which he declared he would enact in spite of the "South, the President, and the devil." Jackson was placed in the dilemma in which his friends had hoped to put Adams four years before. Forced to lose either a part of the South or Pennsylvania, the President signed the bill. As soon as the measure was signed, the South Carolina delegation issued an address to their constituents declaring that "all hope for relief from Congress is irretrievably gone."

The election of 1832 was fought out in South Carolina on the issue of the tariff, and those who favored nullification won an overwhelming majority of the State Legislature. The new legislature assembled in October, 1832, and Governor Hamilton proposed that it call a State convention. The convention election, too, resulted in the selection of nullificationists, and when it met, November 17-24, it lost no time in passing an ordinance declaring the tariff acts of 1828 and 1832 "unauthorized by the Constitution of the United States and null and void, and no law, nor binding upon this state, its officers or citizens." The convention proceeded to forbid all State and Federal officers to enforce these laws and forbade appeal to the State supreme court or the Federal courts. After the convention adjourned, the legislature reassembled and passed acts carrying out the ordinance and providing for the defense of the State. Senator Hayne resigned his

Senate seat to become governor of South Carolina and Calhoun resigned from the Vice-Presidency to fill the vacancy and lead the fight from the Senate floor.

In Washington, Jackson and Congress understood that South Carolina was willing to compromise. The President took precautions, however, by sending troops to Forts Moultrie and Sumter, and prepared to send revenue vessels to Charleston Harbor. On December 10, he issued a proclamation condemning the constitutional theory of nullification and adopting Webster's interpretation of the nature of the Union. The South Carolina Legislature replied that Jackson's opinions were "erroneous and dangerous" and that they would oppose force with force. Meantime the State appealed to her neighbors for support in the fight against centralization.

The replies from the other States were not encouraging. Although Georgia was in sympathy with South Carolina's attitude on the tariff, the State was primarily interested at the moment in the removal of the Indians. The Supreme Court had upheld the rights of the Indians to their lands, but Jackson had nullified Marshall's decision and was proceeding with the removal. Profiting from this Presidential endorsement of States' rights, Georgia was unwilling to co-operate with South Carolina. The South-western States, where Jackson was permitting his political supporters to despoil the Indians of still more lands, followed Georgia. North Carolina came out boldly for Jackson, Kentucky was under Clay's influence, and Tennessee would naturally support the President. In Virginia there was much sympathy with South Carolina's objectives but no support for her methods. Virginia therefore offered her good offices to compromise the issues, sending cautious

advice to South Carolina's legislature. In the Senate, John Tyler approached Clay with suggestions for a compromise.

Clay agreed to bring in a new tariff bill providing for a gradual reduction of the existing rates until they should reach a level of 20 per cent in 1842. With no desire to ruin the industry of the country, Calhoun accepted the compromise, and the enthusiastic nullificationists of South Carolina were brought to reluctant agreement. At the same time that they passed the Compromise Tariff, Congress passed a Force Act authorizing the President to use the full military and naval forces of the Nation to enforce the laws of Congress. The South Carolina convention reassembled and solemnly nullified the Force Act. The convention reasserted that the allegiance of the citizens of South Carolina was due solely to the State.

The entire controversy had served to give the two opposing sections their constitutional philosophies. The doctrines of Calhoun were to become the accepted Southern principles upon which the States would posit their eventual secession. The nationalistic interpretation of Webster and Jackson was accepted by the North. Henceforth the South was a minority section in national politics, but it had a constitutional doctrine upon which it might protest against the tyranny of the majority. This was the first step in the creation of a Southern nationalism: the second step grew out of the slavery controversy.

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## CHAPTER X

### ABOLITION AND PROSLAVERY

#### 1. ANTECEDENTS OF THE SLAVERY CONTROVERSY

TWO decades of debates on tariffs, banking, and internal improvements had resulted in the formulation of constitutional arguments which emphasized the opposing interests of North and South. The abolition crusade contributed definite social philosophies to the antagonistic sections.

At the time of the Revolution, Southerners who accepted the radical ideas of the Declaration of Independence were opposed to slavery. Washington, Henry, Jefferson, and Randolph condemned the institution and looked hopefully forward to its ultimate extinction. Support for this idea came from the frontier and the back country, where there were few slaves and where slaveholding was not profitable. Southern churches which drew their support from the less privileged classes were unanimously opposed to slavery. The Quakers, whose scattered communities dotted the frontier, spoke with quiet vehemence against a social system which denied the rights of the common man. The Kentucky Synod of the Presbyterians, drawing a sturdy strength from the Scotch-Irish, went on record in 1796 against holding men in bondage, and reaffirmed its convictions as late as 1835. In 1821 the synod of Pittsburgh, with members from the Western counties of Virginia, forbade its communicants

owning slaves, and in 1815 the Presbyterian General Assembly recommended the education of slaves as a preparation for their eventual freedom. The Methodist conferences, whose constituents were among the lowly, declared that slavery was contrary to the laws of God, man, and nature, and was injurious to society. In 1821, the General Conference forbade the ordination of local elders who held slaves. In 1804, a number of Baptist ministers, representing the third largest frontier church, issued an abolition address in behalf of "the friends of humanity."

The frontier was not alone in its opposition to slavery. Along the Tidewater, too, there were planters who realized both the economic and the social defects of the institution. Although they favored emancipation, these men were fearful of its social consequences. Large numbers of free Negroes, hardly more than a generation away from savagery and untrained for the obligations of freedom, were a danger to property and to an ordered society. As a solution for the problem of the free Negro, the planters proposed to send the freedmen back to Africa. In 1817 the American Colonization Society was organized with Bushrod Washington as its first president. Marshall, Clay, and many other slaveholders were interested in the society. The society established State and local branches, and the Virginia and Maryland Legislatures appropriated money for sending free Negroes to Africa. In 1822 the society launched the Free Republic of Liberia on Africa's western coast. Over a thousand Negroes went to Liberia in the next decade, but the society was unable to care for them, and a majority succumbed to the unaccustomed hardships of pioneering in their ancestral homes. The colonization society met opposition both from the reactionary slaveholders, who accused the members of aboli-



tionism, and from the extreme abolitionists, who considered it a bulwark of slavery. In reality, the colonization society was primarily interested in solving the problem of the unassimilable free Negro. The society declined in importance with the rise of Northern abolitionism.

Early abolitionism in the South had its center in the Western sections. Before the end of the first quarter of the nineteenth century, several abolitionist papers, among them the *Emancipator* in Tennessee, the *Abolition Intelligencer* in Kentucky, and the *Genius of Universal Emancipation* in Baltimore, had been founded and intermittently published in the South. Each of them directed its appeal to the masses of Southern whites rather than to the planter class. The frontier welcomed the abolitionist. In Tennessee, Charles Osborne founded the Tennessee Manumission Society, and in east Tennessee the Reverend Samuel Doak, Presbyterian divine and educator, emancipated his slaves in 1818 and taught the equality of man. Sam Houston absorbed his earliest lessons in democracy from Doak.

Benjamin Lundy, the direct inspiration of William Lloyd Garrison, found a welcome in east Tennessee when he determined to make emancipation his life work. A New Jersey Quaker who had migrated to Ohio, Lundy saw his first slaves in coffles at Wheeling, Virginia, and learned to hate the slave power at the time of the Missouri Compromise. The uncertainty of their State's status in 1819 had so deranged business in St. Louis that a raft-load of saddles which harness-maker Lundy had floated down the Ohio could find no market. Returning home bankrupt, Lundy turned abolitionist, began the publication of the *Genius of Universal Emancipation*, and moved to Jonesborough, Tennessee, where he was received by an earlier

abolition society. Afoot, Lundy travelled the mountain counties of Tennessee and North Carolina founding abolition societies and gathering subscribers to his paper. Later he moved to Baltimore, where he continued his organization work and his publications until his death in 1839.

The antislavery sentiment of the frontier was not shared by the slaveholding sections of the South. South Carolinians and Georgians had never followed after Jefferson's equalitarian doctrines, and in 1790 they were asserting in Congress that their States would never have joined the "Confederacy" if their slave property had not been guaranteed by the Constitution. In 1807, Representative Early, of Virginia, declared in Congress that the Southern States did not regard the slave trade as a crime and that a majority did not consider slavery as an evil. In the following years contemporary publications noticed an increasing "irritability of the South" on the subject of slavery. In 1821 the *New York Commercial Advertiser* remarked that "sectional animosity" was one of the "evils which slavery is shedding upon our country." The growing sensitiveness of the South was shown in efforts to suppress any opposition to slavery. In 1826, the Manumission Society of North Carolina noted that "the gentlest attempt to agitate the question or the slightest hint at the work of emancipation" was sufficient to call forth the indignant resentment of the slaveholders. In addition to remonstrance, there were early cases of violence in the South. In 1827, when some citizens of Smithfield, Virginia, met to form an antislavery society, the meeting was broken up by a local magistrate who decided that, since there was no law authorizing the holding of such a meeting, it must be contrary to law. In 1825 a young

South Carolinian cancelled his subscription to Lundy's *Genius* on the grounds that neither his health nor the successful prosecution of his profession would permit him to receive so dangerous a publication.

The extent of the Southern opposition to slavery is evidenced by the report of Lundy. In 1827 his paper estimated that there were in the United States 130 anti-slavery societies with 6,625 members. Of these, 106, with 5,150 members, were in the South. By 1837, owing to the opposition to the Southerners which developed in the next decade, not one of these societies was left in the South. The Southern consolidation in favor of slavery was due to two things: the growing profitableness of slavery and the fear of the rising Jacksonian Democracy.

## 2. THE VIRGINIA SECTIONAL CONFLICT

Cotton was the major factor in causing the Southern slaveholder to abandon his early indifference to antislavery opinion. In 1791 the country was producing 9,000 bales of cotton, but by 1801 the crop had increased to 211,000 bales. By 1811 the figure had reached 269,000, and by 1821 647,000. In 1831 the Southern States were producing 1,038,000 bales of the fleecy staple. To the Southerners who were raising cotton it was apparent that an attack on slavery was an attack on the foundations of their prosperity. Since most of the attack came from the Western sections, the planters were eager to stop the agitation and to win the support of the frontier farmers for their institution.

In Virginia the sectional conflict had not been settled by the coming of cotton. The Western counties were still unrepresented in the legislature and were interested in

internal improvements, the reform of local governmental institutions, and the extension of the suffrage. In 1828 the legislature was forced to submit to the people of the State the question of holding a constitutional convention. The Western counties voted overwhelmingly for a new constitution, while the Tidewater section was in almost unanimous opposition. Even after this vote the Eastern section attempted to prevent the convention and successfully resisted the Western desire for a census and the apportionment of delegates on the basis of the white population. To the convention were elected James Madison, James Monroe, and John Marshall, together with such local luminaries as Governor William B. Giles, United States Senators John Tyler and L. W. Tazewell, John Randolph, and P. P. Barbour. From the West came Samuel McDowell Moore, Alexander Campbell, Thomas Jefferson Randolph, grandson of the third President, and Phillip Doddridge.

In the convention the Tidewater conservatives attempted to repudiate the Jeffersonian Bill of Rights, while the Westerners favored a new bill which should provide for equal representation and for full white manhood suffrage. The Easterners claimed that an extension of the suffrage would result in the taxation of slave property for the benefit of internal improvements in the Western counties. Although the Westerners pointed out that internal improvements would cause slavery to expand into the West, the Easterners would not yield. In the course of the debates, one delegate asserted, "There exists in the great portion of the West a rooted antipathy to this species of population; the habits of the people are strongly opposed to it. With them, personal industry, and a reliance on personal exertion, is the order of society. They know how

little slave labor is worth; while their feelings as free men forbid them to work by the side of a slave. And besides, sir, their vicinity to non-slaveholding states must forever render this sort of property precarious and insecure." On the issue of the extension of the suffrage, the Easterners expressed a growing fear of the rising tide of Jacksonian Democracy. One delegate declared that universal suffrage was as great a plague as the Hessian fly, influenza, and smallpox. It had arisen in the North and spread into the other States, always keeping above the fall line of the rivers.

After weeks of such debate, the completed constitution provided for no definite proportion of representation but arbitrarily assigned seats in the legislature. Although the West gained for the moment, the disproportion would soon again be evident as the Western counties grew and the Eastern ones declined. The suffrage was extended to leaseholders but under such conditions that 30,000 white men were excluded. As for county government, there was no change. Justices of the peace and sheriffs were to be appointed by the governor as under the old constitution. The Western counties were incensed, and talk of withdrawing from the State followed immediately. In the ratifying vote, no Western county approved the new document.

The sectional conflict in Virginia did not end with the ratification of the new constitution. The Nat Turner insurrection brought the matter of slavery before the legislature. Turner, a free Negro of Southampton County, inflamed by religious fanaticism, gathered 70 of his fellows and fell on the whites. In the dead of night, 61 whites, mostly women and children, were massacred. In the vengeance of the State, 100 Negroes were put to death,

while terror spread over the entire South. During the coming winter, legislatures throughout the South revised their slave codes and forbade Negroes to assemble or preach unless white men were in attendance. In answer to the warning from Virginia, white militia companies were formed throughout the Southern States.

When the Virginia Legislature met, the problem of the Negro and slavery was uppermost in the minds of the delegates. Public opinion was divided between those who favored immediate emancipation and colonization and those who favored a more gradual process. The conservative Easterners attempted to avoid debate, but the Western members insisted upon discussion. To the disgust of the slaveholders, Thomas Jefferson Randolph revived his grandfather's plan for gradual emancipation. In the debates which followed, Western members condemned slavery and compared Virginia with the free States of the North to show that the economic salvation of the State depended upon emancipation. "All of the chief glories of Virginia style have faded," deplored Thomas Marshall. "Gone is the massive coach with its stately attelage of four or six; shut is the benevolent hall door; . . . the watering places no longer blaze with the rich but decent pomp of Virginians, and the cities rarely bear witness of her generous expense." "Slavery," he declared, "is ruinous to the whites; it retards improvements, roots out our industrious population, banishes the yeomanry from the country, and deprives the spinner, the weaver, the smith, the shoemaker, and the carpenter of employment and support." The Tidewater representatives, however, vigorously denied that slavery was responsible for the depleted fields of the Eastern part of the State. The legislature took no action on emancipa-

tion, but the bitterness of the debate was evidence of the deep sectional and social cleavage in the Old Dominion.

The fundamental reason for the failure to accord reform and suffrage to the Westerners and for the refusal to consider the demand for emancipation was the Easterners' fear of Jacksonian Democracy. In 1828, Jackson was elected President with the support of the Western portion of the State and with the reluctant approbation of the conservative planters. John Randolph opposed the Jacksonian movement, calling it the "tyranny of King Numbers," and the planters supported the Democratic candidate without enthusiasm. The combination of Democracy and abolition within their own State caused the planters of Virginia to turn against Jacksonianism.

One result of the Virginia discussion was the publication of "A Review of the Debates in the Virginia Legislature of 1831-32" by Thomas R. Dew, William and Mary College's professor of political economy. Slavery, said Dew, was a positive good, and Negroes could not live in the South except in slavery. The institution was profitable for Virginia, and he believed that the time had come to abandon the fallacious principles of the Declaration of Independence. The fear of slave insurrection was great. "This is the evil, after all, let us say what we will, which really operates most powerfully . . . upon these sections where slaves constitute the principal property." Society, in Dew's opinion, was rapidly becoming stratified, and it was essential that some men should be the masters of factories and plantations and others laborers and slaves. The book had far-reaching influence on Southern thought, and with its publication the proslavery defense of property rights began.

## 3. GARRISONIAN ABOLITION

In the midst of Virginia's struggle over emancipation, William Lloyd Garrison came to the attention of the Southerners. Garrison partook of the Puritan traditions of Massachusetts and was engaged in temperance reform before he met Lundy and was converted to abolitionism. It was not long until Garrison, impetuous, fiery, and bitter, parted company with the milder Lundy and moved to Boston to publish a paper of his own. On January 1, 1831, appeared the first issue of Garrison's *Liberator*. In his prospectus he struck a new note in the antislavery movement by announcing that he would not hold with the "pernicious doctrine of gradual abolition." Instead, he would contend for the immediate emancipation and enfranchisement of the slaves. "I will be as harsh as truth and as uncompromising as justice," he proclaimed in oft quoted words. "On this subject I do not wish to think or speak or write with moderation. No! No! Tell a man whose house is on fire to give a moderate alarm; tell him to moderately rescue his wife from the hands of the ravisher; tell the mother to gradually extricate her babe from the fire into which it has fallen—but urge me not to use moderation in a cause like the present. I am in earnest—I will not equivocate—I will not excuse—and I will be heard!"

The times were right for emotional excitement. A spirit of restlessness was upon the land. On every hand a host of reform movements were springing into action. Associations and societies for the betterment of human life were finding willing members, and the organizers, lecturers, and agitators were reaping a harvest in popular acclaim if not in money. Part of this was doubtless due



to the desire for social contacts which such organizations fostered. Part of it was due to the fact that a people who lived in the shadow of Plymouth Rock and took their intellectual manna from the spirit of John Calvin could not come together without a purpose. The churches held revivals, while societies of temperance men, advocates of peace, and abolitionists gave a gregarious people a moral justification for mingling together.

Nor did Garrison neglect the possibilities inherent in this American passion for organizations. Within a year the *Liberator* was urging the formation of a national anti-slavery society. "No truth is more self-evident," said Garrison, "than that moral power, like physical, must be consolidated to be efficient. The world is to be reformed through the instrumentality of societies, which shall be actuated by the principles of universal benevolence, and open to the inspection of the people. What progress can be made . . . in the cause of abolition without the adoption of similar measures?" Within a few months after this query, Garrison organized the New England Antislavery Society. The movement spread, and in 1833 a national convention held in Philadelphia organized the American Antislavery Society.

The work of these societies was carried on through local societies which contributed to the membership. In thousands of local communities the members assembled once a month to discuss the progress of their cause. Their constitutions declared their reasons for fighting slavery, and usually quoted copiously from the Declaration of Independence. The officers of the societies kept in touch with other groups and devoted themselves largely to the distribution of tracts, books, and papers. By their contributions and interest, these soci-

eties supported a host of lecturers and organizers and newspapers. Most of their propaganda was devoted to obtaining new members and founding new societies. In this work they were successful. In 1838, the American Antislavery Society contained 1,346 local groups with a total membership of 107,680, or an average of about 80 members to a society. Most of these were listed in Vermont and Massachusetts.

Lecturers and a constant stream of literature kept the membership of these societies at fever heat in behalf of their cause. From the beginning it was the purpose of the abolitionists to make a moral appeal. The movement began as a crusade; it was only with the passing years that it entered into the political arena. The societies devoted themselves to moral action which they directed at the "understandings and consciences" of the slaveholders. Universally the abolitionists denied that they were engaged in encouraging servile insurrection. "It is by appeals to conscience, the sense of honor and shame, the feelings of humanity, the religious principle, and the enlightened self-interest of the slaveholders" that slavery was to be conquered. Precepts of religion and morals colored the entire abolition movement. The primary thesis was that slaveholding was a sin. "It is," said one, "falsehood in theory; tyranny in practice; a violation of God's law, and a parent of abominations. . . . the Mark of Guilt is upon it. . ." A corollary of this argument was that God and every angel were on the side of the crusaders, and the salvation of humanity depended upon their efforts. "The Abolition of Slavery," runs a report, "we recognize as the great task assigned to this generation, in this country. We accept it as our appointed work, and are grateful that we are permitted to assist in the evolu-

tion of this magnificent event." On the other hand, the Southerner who held slaves was a sinner against God and humanity. "Slavery imbrutes and heathenizes its immediate victims. It hardens the heart and depraves the morals of those who wield and administer it."

To gather evidence for these crimes the Abolitionists combed both the South and their imaginations. The speeches of the agitators and the columns of their papers were filled with the horrible descriptions of the systems of slavery. Much was made of the brutality of the masters, and they peddled through the land stories of Negroes' being whipped to death and of cruel and unusual punishments. Sexual aspects of the institution were exploited for the repressed Puritans, and the numbers of mulattoes were cited as evidence of the lustful nature of the Southern slaveholders.

Around Garrison in New England there gathered many others, some scarcely less violent than he in the condemnation of the sins of slavery. Philanthropists like the Tappan brothers, of New York, contributed to the cause, and ministers like Reverend S. J. May and Dr. William Ellery Channing preached its doctrines. Among them, too, were the poet John Greenleaf Whittier and the able young orators Wendell Phillips and Charles Sumner.

In addition to the New England group of abolitionists there were groups in New York and in Ohio's Western Reserve. Perhaps the latter group were the most powerful in the abolition movement. This Western movement had its beginning in Cincinnati, where the students of Lane Theological Seminary debated the morality of slavery until opposed by the conservative trustees. Thereupon a number of students and professors withdrew to the Western Reserve and founded Oberlin College. The

college admitted Negro students and trained abolitionist agitators. The Reverend Theodore Weld was the most effective product of this group, and he applied the emotional techniques of the frontier religious revival in making converts for a militant abolitionism. Weld met and married Angelina Grimké, one of two South Carolina sisters who had abandoned their State in protest against the harshness of its slave code. To this group came James Birney, a native of Kentucky who had taken his slaves to Ohio in order to emancipate them. From these crusading Westerners came Ben Wade, Salmon P. Chase, and Joshua R. Giddings, who carried the abolitionist torch into politics.

The peculiar contribution of the Western abolitionists to the cause was the "Underground Railroad." Under cover of the night, "conductors" of this organization led fugitive Negroes across the Ohio River to safety in the North or in Canada. Along the route abolitionists kept "stations" and secreted Negroes from watchful eyes. Levi Coffin, a resident of Cincinnati, was long regarded the "president" of the railroad that ran from slavery to freedom. Between 1830 and 1860 as many as 2,000 slaves a year passed into the land of the free along the routes of the Underground Railroad. The road had other routes, but the Ohio way always remained the most important.

#### 4. ABOLITIONISM IN POLITICS

It was not the intention of the founders of the abolition movement to engage in politics. Garrison himself decried political methods of gaining one's ends and was more inclined to damn the Constitution as "a covenant with death and an agreement with Hell" because it rec-

ognized slavery than he was to enter the political fray. Other abolitionists, however, were not averse to entering politics, and many of the politicians looked to the rising tide of antislavery sentiment with mingled feelings of alarm and hope.

The defeat of the Adams-Clay combination in 1828 disorganized the opposition party. For a time it seemed that the ranks of Antimasonry might furnish a suitable bed for those politicians who had been ousted by the Democratic victory. This movement originated in western New York and was directed against the Masonic fraternity. Anti-Masonic conventions declared themselves in favor of internal improvements and a protective tariff, and lesser politicians joined the party in hopes that it would prove a successor to the National-Republican party. However, Antimasonry failed to become a national party, and the politicians turned to slavery as a possible political issue. William H. Seward, attending an Antimasonic convention in 1830, met Thaddeus Stevens, and "found between him and myself an earnest sympathy of political views. An advocate of popular education, of American industry, and of internal improvements, abhorring slavery in every form and restless under the system of intrigue by which the Republican party at that day sought to maintain itself in power, bent on breaking up the combination between a subservient party at the North and the slave power of the South." Stevens himself had early become interested in the political possibilities of slavery agitation. One anti-slavery agitator told him, "If you can turn your Antimasons into abolitionists, you will have a party whose politics will not bleach out. The slaveholders will not possum like Freemasons, but die game." Stevens gave the agent 90 dollars and requested him to lecture in Adams

County, Pennsylvania, saying, "If they Morganize you, we'll make a party of it." Stevens made later efforts to bring antislavery into Pennsylvania politics. Democrats charged that Antimasons were trying to make a new issue because their old one was losing its appeal. Throughout the decade of the thirties, Stevens tried to inject slavery into Antimasonry, even going so far in 1836 as to get Negroes to vote for the Antimasonic ticket. In Massachusetts, the Democrats were in the minority and attached themselves to antislavery. The rural communities, the immigrants, and the fishing villages were the centers of both Democracy and the antislavery movement. Abolitionists in Massachusetts, however, did not join the party. The explanation is to be found in the fact that such radical movements as Antimasonry and Democracy appealed to the same people as did antislavery.

In 1833 the New England Antislavery Society declared in its constitution that moral agitation was the main aim of the society. But the American Antislavery Society formed the next year was convinced that there were "the highest obligations resting upon the people of the free states, to remove slavery by moral and political action, as prescribed in the constitution of the United States." Garrison himself proclaimed his purpose of maintaining an impartial attitude in regard to political parties, but it was not long before he, too, was urging political action. In fact, in his first issue he suggested that abolitionists agitate for the abolition of slavery in the District of Columbia, and printed a petition, which he urged his subscribers to sign, praying that "Congress will, without delay, take such measures for the immediate or gradual abolition of slavery in the District of Columbia." He also urged memorials to Congress and petitions to State

legislatures. In 1833 he urged abolitionists to use the ballot to further their doctrines, and in 1834 he suggested the formation of a Christian anti-slavery party.

With Garrison and his followers beginning a movement of political potentialities and the Southerners showing a growing sensitiveness about their institution, it was inevitable that slavery should get into politics. The first numbers of Garrison's *Liberator* aroused the South. Before the close of the first year of the publication, the Vigilance Committee of Columbia, South Carolina, offered a reward of \$1,500 for the arrest and conviction of anyone caught distributing the paper. The Legislature of Georgia placed a price of \$5,000 on the head of the editor.

In 1835 the citizens of Charleston broke into the Post Office and burned abolitionist papers. The Postmaster-General, Amos Kendall, declared that he had no authority to prohibit the use of the mails to the society, but he added that while he could not sanction, he would not condemn, the action of the citizens. "We owe an obligation to the laws," asserted the Postmaster-General, "but a higher one to the communities in which we live." Kendall advised postmasters to allow this letter to stand and interpret it as they would. Excitement ran high, and meetings were held in North and South. A number of meetings opposed abolitionist propaganda but declared themselves in favor of free speech and freedom of opinion.

The American Antislavery Society published an address admitting that Congress had no right to abolish slavery in the States, but declaring that the people had the right to express themselves on any subject under the heavens. In several drastic resolutions they asserted that no anti-slavery literature had been sent to slaves. In response to this address there was widespread talk in the South

of boycotting the North. In the fall of 1835, Southern legislatures passed resolutions calling on the Northern States to stop incendiary agitation, and asked for penal laws for the suppression of abolition literature. In the more conservative Northern States, where Garrison's actions met with criticism, there was approval of this course. Governors Marcy, of New York, and Everett, of Massachusetts, recommended such legislation to their legislatures.

When Congress met in December, Jackson asked for a law to stop incendiary publications from using the mails. This part of the message was referred to a committee of which Calhoun was chairman. Calhoun declared that such a law as Jackson asked would be an abridgment of the liberty of the press, which Congress was forbidden to restrict. However, the States were permitted to control the freedom of speech, and Calhoun introduced a bill declaring that no official of the Post Office should receive or put into the mails any literature which was forbidden by the laws of the State to which it was consigned. In the debates which followed, Northerners pointed out that even the Declaration of Independence and the Constitution of Massachusetts would be incendiary literature in the South. Moreover, it was argued that Calhoun's bill would transfer the regulation of the mails to the States and give judicial functions to post-office employees. The bill failed of enactment, and the measure was soon overshadowed by other aspects of the slavery question.

A few months after this discussion, the House of Representatives took an action which was destined to add new fuel to the flames. Tired of the consideration of petitions from antislavery societies, the House on May



26, 1837, adopted three resolutions in regard to petitions. These resolutions declared that Congress had no constitutional authority to interfere with slavery in any State, that it ought not to abolish slavery in the District of Columbia, and that, therefore, petitions relating to slavery should be received and without being printed or referred should be laid on the table, "and that no further action whatever shall be had thereon." This resolution was the famous "gag rule."

The immediate effect of the "gag rule" was an increased protest. John Quincy Adams, who had been elected to the House after his retirement from the Presidency, asserted that the rule deprived his constituents of their constitutional right to petition for a redress of grievances. Adams made himself the champion of the petitioners, and the abolitionists deluged him with petitions, which he attempted to introduce. Such trifling with their dearest sentiments outraged the Southerners, who voted to censure and even threatened to expel him. But Adams defied them and continued to call the tactics of the Southerners to Northern attention.

The abolitionists quickly seized upon the "gag rule" as a new means of spreading opposition to the Southerners. Petitions to Congress increased, and State legislatures added their voices to the outcry. After widely publicized hearings which the abolitionists used as a sounding board, the Massachusetts Legislature passed resolutions declaring that "Congress, having exclusive legislation in the District of Columbia, possesses the right to abolish slavery in said district, and that its exercise should only be restricted by a regard for the public good." Similar action was taken in Vermont, the State with the largest number of abolition societies; and a statement

was issued that neither Congress nor the States could prohibit freedom of speech or interfere with the free passage of antislavery literature in the mails, and that Congress had full power to abolish slavery in the District of Columbia.

While the States were debating, the issue arose again in Congress. On December 20, 1837, Representative William Slade, of Vermont, arose to offer resolutions that certain petitions for the abolition of slavery be referred to a select committee which should be instructed to bring in a bill for the abolition of slavery and the slave trade in the District of Columbia. The introduction of these resolutions was greeted with cries of indignation from the South, and Henry A. Wise, of Virginia, called upon his colleagues to leave the hall. Robert Barnwell Rhett summoned the South Carolina Congressmen to meet in a committee room, while another South Carolinian invited the members from the other slave States to meet with them. Only a hasty adjournment prevented violent disorder.

Rhett explained that he desired to get united Southern agreement on a set of counter-resolutions declaring that the Constitution had failed to protect the South in the peaceful enjoyment of its rights and that, therefore, it was expedient that the Union be dissolved. "The purpose of these resolutions," said Rhett, was "to place before Congress and the people what, in my opinion, was the true issue upon this great and vital question, and to point out the course of policy by which it should be met by the southern states." The majority of the Southerners were unwilling to go to such lengths, but they supported a resolution from John M. Patton, of Virginia, "that all petitions, memorials, and papers touching the

abolition of slavery or the buying, selling, or transferring of slaves, in any State, district or the territory of the United States, be laid on the table, without being debated, printed, read or referred, and that no further action whatever shall be had thereon." The resolution passed by a vote of 122 to 74. Patton declared that the resolution was a "concession" which the South was willing to make for the sake of peace, union, and harmony.

The popular excitement in the country and the growing animosities in Congress were opposed by the conservative classes of the North. Merchants who had trade relations with the South, and politicians who looked to alliance with the South, were opposed to any agitation of the sensitive subject. In Cincinnati there was a definite pro-Southern movement, and in Boston the conservative trading districts looked with disapproval upon the activities of the abolitionists. Moreover, the lower classes of the whites, who had come into actual or potential competition with free Negroes, were opposed to the emancipation of a class of cheap laborers. Race riots were not unknown in the North, and there were occasional riots against abolitionists. In 1835 Garrison was dragged with a rope around his neck through the streets of Boston by an irate mob who had broken up a meeting of the Boston Female Antislavery Society. In 1838 a mob killed the Reverend Elijah P. Lovejoy, editor of an abolitionist paper in Alton, Illinois. The abolitionists were quick to point out that the murder was the inevitable result of Southern brutality, and erected Lovejoy into a martyr.

After Lovejoy's death, opposition to the abolitionists declined in the North, and the section became slowly consolidated in opposition to slavery. At the same time, the Southerners became more unified as a result of the wide-

spread alarm. By 1837 the abolition movement, which had begun as a moral protest, began to become political as well. In 1838 the American Antislavery Society went on record as favoring the questioning of candidates on their abolitionist sentiments, and in that year the movement contributed largely to the election of William H. Seward as Governor of New York. In that year, too, the balance of power in a number of congressional districts was held by the abolitionists, and in Ohio they claimed credit for the election of the governor. In 1836 S. P. Chase joined the movement in Ohio, and Thaddeus Stevens was becoming active in Pennsylvania.

The movement toward political abolitionism was directly aimed at the South, for an attack upon slavery was an attack upon the Southern control of the government. The antislavery politicians turned their efforts to obtaining a tariff, internal improvements, and a national bank for the North. "The tariff is as much an antislavery measure as the rejection of Texas," declared Joshua R. Giddings. "So is the subject of internal improvements and the distribution of the proceeds of the public lands. The advocates of perpetual slavery oppose all of them; they regard them as opposed to the interests of slavery. That party holds it a cardinal principle that slavery must be maintained even at the sacrifice of every other interest. Now all of these interests must be maintained together or they will all go down together." The close parallelism between antislavery and industry is to be seen in other reformers. In the first issue of the *Liberator*, Garrison condemned a meeting of the laborers of Boston, and among the abolitionists there was little sympathy for laborers in the rising struggle between capital and labor. Instead, the interests of the aboli-

tionists were closer to those of the industrial classes. Garrison had been a Federalist in his youth and consistently favored Clay's "American System" and a protective tariff. He declared that he wished to see "a manufactory by the side of every suitable stream," and that he felt a "strong interest in the perpetuity of that system which fosters and protects the industry of the American People." In the panic of 1837 he declared that the South by its extravagance, intemperance, and general lightheadedness had provoked the disaster and proved that slavery was the ruin of the Nation. Northern merchants ought, therefore, to beware of trading with the South. The United States Bank was "the sheet anchor of our national prosperity."

Other industrialists, too, were interested in abolition. The father of the Reverend S. J. May was a woolen manufacturer and interested in reform. Moses Grant owned a paper mill at Newton Falls. Amasa Walker was an agent of the Methuen Manufacturing Company, director in a bank, and promoter of Western railroads. Neal Dow, who combined temperance with abolition, was a tanner and a bank director, and was also interested in manufactures and railroads in Maine. To all of these men it seemed evident that slavery was a curse that was blighting the South. The free man of the North worked for profits, and with the abolition of slavery in the South the laborers would become customers for Northern industry. Hats, bonnets, shoes, clothing, paper, glass, and candles would find a ready market. Five dollars would be spent under the new order for each dollar being spent under the old. There was even the thought that if the Southerner did not invest money in slaves, he would have capital for more land and would thus cultivate more and

depress the price of cotton. Besides, it was widely argued that emancipation would remove the Southern opposition to the tariff.

There was a close connection between abolitionism and other reform movements of the time. The period of the thirties was an era of reform, and the men who devoted themselves to abolition were also interested in temperance, prison reform, and universal education. All of these reforms were justified in industrial terms. Temperance lecturers pointed to the wastefulness of drinking and declared that intemperance cost thousands of lives and billions in property. Bank deposits would increase if the cup were withheld from the laborer. So, too, with education. Horace Mann, the greatest prophet of the free school, championed education as a panacea for the evils of unbalanced wealth and poverty. Education would produce new machinery and would entrench industry and capital against the wild flights of agrarianism. The proponents of women's rights were sure that peace and stability would come to society from giving women the vote, and the use of tobacco was condemned because its abolition would enable people to save money for houses, farms, and the products of the New England mills. In other words, the reforms, of which abolitionism was the chief, were in a measure the product of the transition to an industrial society. New ideals of an industrial capitalism were being substituted for those of the frontier and the farm.

At the same time, the South was becoming united in defense of its own rights and was creating its own ideology. In Congress Southern politicians joined together in support of Calhoun's constitutional logic while publicists and politicians elaborated the proslavery defense.

In January, 1837, Calhoun spoke on the growing division of the sections. "However sound the great body of the non-slaveholding States are at present, in the course of a few years they will be succeeded by those who will have been taught to hate the people and institutions of nearly one-half of this union with a hatred more deadly than one hostile nation ever entertained towards another." He declared that a union was unthinkable wherein one-half of the States regarded the other half as "sinful and odious in the sight of God and Man." The Southern institution of slavery was not sinful, declared the Southern Cassandra. "We of the South will not, cannot, surrender our institutions. To maintain the existing relations between the two races inhabiting that section of the Union is indispensable to the peace and happiness of both. It cannot be subverted without drenching the country in blood, and extirpating one or the other of the races. Be it good or bad, it has grown up with our society and institutions and is so interwoven with them that to destroy it would be to destroy us as a people. But let me not be misunderstood as admitting, even by implication, that the existing relation between the two races in the slaveholding states is an evil—far otherwise; I hold it to be a good, as it has thus far proved itself to be to both, and will continue to prove so if not disturbed by the fell spirit of abolition. . . I hold that in the present state of civilization, where two races of different origin, and distinguished by color and other physical differences, as well as intellectual, are brought together, the relation now existing in the slaveholding states between the two is, instead of an evil, a good—a positive good. I fearlessly assert that the existing relation between the two races in the South, against which these blind fanatics are waging war, forms the most

solid and durable foundation on which to rear free and stable political institutions." With this declaration, Calhoun introduced resolutions declaring that the Constitution gave the States control over their domestic institutions. In the adoption of the Constitution, said Calhoun, the States acted as free and independent communities, and each retained control over its own affairs. Any intermeddling with the internal affairs of one State by the citizens of another was dangerous to the common peace. The Federal Government must provide for the general security and should protect the domestic institutions of one State from attacks by another. An attack upon slavery in the District of Columbia was but an indirect assault on the Southern States, and any interference with slavery in the territories would tend to deprive the South of its equal rights in the Union.

Calhoun's purpose in presenting these resolutions was to call the attention of both sections to the Southern attitude. In his view, the preservation of the Union could be obtained only by the protection of slavery, which "was the only question of sufficient potency to divide the Union, and divide it it would, or drench the country in blood if not arrested."

After several days of debate on these resolutions, Henry Clay came forward to conciliate the sections. "I have no apprehension for the safety of the Union from any state of things now existing," he explained, "but I will not answer for the consequences which may issue from indiscretion and harshness on the part of individuals or of Congress, here or elsewhere. We allow ourselves to speak too frequently, and with too much levity, of a separation of this Union. It is a terrible word, to which our ears should not be familiarized." With this, Clay proposed



that Congress should declare that slavery was a domestic institution of the States with which Congress had no right to interfere, and that petitions for the abolition of slavery in the States should be rejected as being beyond the scope of Congress. As for the District of Columbia, Clay declared that it would be a breach of faith with Virginia and Maryland to abolish the institution, but that petitions for that end should be referred to a committee. As for slavery in the territories, it existed only in Florida and the people of the territory had not asked for its abolition. In the end, Clay's resolutions in regard to the status of slavery in the District of Columbia and Florida were adopted, and the rest of Calhoun's resolutions were accepted with modifications which took away much of their force.

But the question was not allowed to rest with this congressional action. Within the States the work of the abolitionists went on, and political abolitionism loomed larger. In November, 1838, Clay noted the effect of abolitionist agitation in Ohio. "The introduction of this new element of abolition into our elections cannot fail to excite, with all reflecting men, the deepest solicitude. Although their numbers are not very great, they are sufficiently numerous in several states to turn the scale. I have now before me a letter from the secretary of the American Antislavery Society in New York, in which he says: 'I should consider the election of a slaveholder to the presidency a great calamity to the country.' The danger is that the contagion may spread until it reaches all the free states."

The danger that the contagion might spread to other States was all too apparent. Already the States were becoming active in the matter of fugitive slaves, and the

abolitionists were constantly obtaining new martyrs for their cause. Within the Northern States the operation of the Underground Railroad called popular attention to the abuses possible under the fugitive slave law. As a result, "personal liberty" laws, designed to prevent the recapture of fugitives or to give Negroes the protection of the courts, were enacted. In July, 1836, there arose a case which illustrated the attitude of the North that actuated the passage of the laws. A Negro named Isaac was found secreted on a schooner in New York Harbor. A fugitive from Virginia, he was seized and carried out of New York without legal formality. The Governor of Virginia then demanded of Governor Seward that certain other Negroes, who had facilitated Isaac's escape, be extradited. Seward, who owed his position to the votes of the abolitionists, refused on the ground that the crime which was charged was not criminal under the laws of New York. The New York Legislature upheld Seward by passing an act providing for jury trial for fugitives. The Virginia Legislature retaliated by making it a penal offense for a resident of New York to carry a Negro out of the State. All New York vessels were to be searched upon leaving a Virginia port. Virginia would repeal its legislation when New York repealed its law and surrendered the fugitives from Southern justice. In 1842, Democrats got control of the New York Legislature and passed a resolution that "stealing of a slave within the jurisdiction of Virginia was within meaning of the constitution" and that, therefore, the governor should surrender the criminals. Seward, however, was still governor, and he refused to transmit the resolution to Virginia, stating that he still believed that "beings possessed of the physical, moral, and intellectual faculties common to the human

race cannot, by force of any constitution or laws, be goods or chattels or a thing; and that nothing but goods, chattels, and things can be the subject of larceny, stealing, or theft."

In 1842 the United States Supreme Court heard the case of *Prigg v. Pennsylvania*, which illustrated the attitude of the Northern people. The defendant had seized a fugitive slave and, without magisterial consent, had carried her across the line into Maryland. Back in Pennsylvania, Prigg was arrested for violation of a Pennsylvania law of 1826 designed to protect the free Negroes of the State from kidnappers. Justice Story, speaking for the Court, declared that the fugitive slave law of 1793 was constitutional and that the Pennsylvania law of 1826 was unconstitutional. The owner of a slave, said the court, had the right to seize a slave in any place, and a State had no power to interfere. However, the Court refused to state that the enforcement of the federal law was obligatory on the officials of a State, and seemed to indicate that a State might forbid its officials to render aid in the enforcement of the federal law.

The result of this case was a new crop of personal liberty laws in the Northern States. Vermont passed an "Act for the Protection of Personal Liberty" providing that no court of the State should take cognizance of any case arising under the fugitive slave law. No sheriff could arrest, transport, or assist in the arrest of such persons, under penalty of a fine of \$1,000. Other States followed this example, and cases of State officers refusing to enforce the fugitive slave law became more frequent. The publicity incident upon the cases benefited the abolitionists, and there was widespread popular sympathy with the escaping slaves.

## 5. THE PROSLAVERY ARGUMENT

While abolition literature and societies were arousing the Northern people to the sinfulness of slavery and politicians were eyeing with more or less suspicion the rising tide of antislavery sentiment which disturbed Congress and the State legislatures, the South was being organized in defense of its fundamental economic institution. Before the abolitionists had begun their work, the Southern planters had already seen the necessity for defending their institution from the attacks of democrats within their own States; but after the abolitionists made their cause a sectional one, and when it was taken up by industrialists as a part of their program, the Southerners united in support of the institution. In the footsteps of Thomas R. Dew there marched a host of writers, speakers, and agitators who succeeded in persuading the Southern masses that slavery was a good. Without the abolitionists, the slavery controversy might have resolved itself into a struggle between the sections within the Southern States. Thanks to Garrison and his cohorts, the South became consolidated in support of the institution.

One of the most noticeable effects of the antislavery agitation, whether within or without the Southern States, was the enactment of more stringent slave codes. The Nat Turner insurrection was followed by new slave codes in most of the Southern States, prohibiting the slaves to assemble, even for worship, without the presence of a white man and providing penalties for any person who would teach Negroes to read and write. Restrictions were placed upon emancipation, and in some States a master who sought to free his slaves had to obtain permission from the legislature and give bond that the Negroes would

be removed from the State. Free Negroes returning to the State were remanded to slavery. Militia laws were refurbished in most of the States, and in some communities planters joined in voluntary associations to patrol the roads to catch wandering Negroes. The "patter-roller" became a familiar figure to the Negroes of the Southern plantations.

More significant was the rising tide of proslavery literature, providing justification for the Southern system and emphasizing from every angle that slavery was indeed "a good—a positive good." Politicians encouraged the movement, turning to their own advantage the anti-slavery sentiment at the North. Such a movement did not escape the attention of James Madison, who perceived that in his own State the turn of events tended to make a unit of Southern opinion. "It is painful," he wrote to Clay in 1833, "to observe the unceasing efforts to alarm the South by imputations against the North of unconstitutional designs upon the subject of slaves. You are right, I have no doubt, in believing that no such intermeddling disposition exists in the body of our Northern brethren. Their good faith is sufficiently guaranteed by the interest they have as merchants, as ship owners, and as manufacturers in preserving a union with the slaveholding states. On the other hand, what madness in the South to look for greater safety in disunion." A year later, Madison was noticing that aspiring popular leaders were inculcating the impression that there was a permanent incompatibility between the interests of the Southern and Northern States.

The evidence from public meetings in the South bears out Madison's contentions. J. H. Hammond, in a letter to a New York editor, declared that "Northern fanatics"

must expect resistance from South Carolina. Another South Carolinian declared that slavery was a "blessing to both Master and Slave" and warned the Northerners that they should keep their hands off the Southern institution. The Charleston meeting to protest against abolitionist literature coming into the Post Office declared that "we view with abhorrence and detestation the attempt to deluge our state with incendiary publications; and that we consider the authors of such attempts no more entitled to the protection of the laws than the ferocious monster and venomous reptile."

Such expressions were evidence that a large market could be found for proslavery writings. For the benefit of Southern readers men all over the South took to their pens to examine the merits of slavery. The ensuing discussion compared the economic aspects of slavery and free labor, questioned the constitutional power of Congress over the institution, and inquired into the moral relations of master and slave.

Harriet Martineau and many others detected a tone of apology in most of the Southern writing in regard to slavery. The existence of the institution was justified at first on the impossibility of its abolition. Chief among the apologies of the Southerners was that the present generation of slaveholders were not responsible for the situation. From this they passed to a discussion of the insecurity which would result to the whites should slavery be abolished, and pointed with shudders to the situation in Haiti as proof that the Negroes, if free, would never permit their masters to live. Many writers contended that if they were to free the slaves, they could not materially alter their conditions. "Talent, habit, and wealth" would make the white man still the master

because the Negroes were unable to take care of themselves. Moreover, the financial burden of emancipation was too great. Such a destruction of property rights would produce destitution throughout the South. Dew emphasized the fact that the slaves in Virginia were worth one hundred million dollars. "It matters not how you destroy it, whether by the slow process of the cautious practitioner or with the frightful despatch of the self-confident quack, when it is gone, no matter how, the deed will be done and Virginia will be a desert." Another writer declared that if slavery were abolished, the ruin would extend to the free as well as the slaveholding States. J. H. Hammond asked the abolitionists if any people were ever persuaded to give up two hundred million dollars' worth of property. Throughout all their writings, Southerners emphasized the sacredness of property rights in slaves.

Supporting the appeal for respect to private property, Southern writers found Biblical justification for their institution. Dew, Chancellor Harper, William Gilmore Simms, and a host of others added to the store of Biblical arguments for slavery. The Jews had practiced slavery under the very rule of Jehovah; Hagar was a slave, "and the angel of the Lord said unto her, return to thy mistress, and submit thyself under her hands." The Ten Commandments three times mentioned "servants," while the Mosaic law authorized the buying and holding of bondmen and maidservants. God's chosen people were therefore not only permitted but positively enjoined to possess slaves. Although texts of approval for slavery were more difficult to find in the New Testament, the theological defense made much of the silence of Christ on the subject. As final and triumphant justification of

slavery in the Holy Scripture, there were the instructions of the Apostle Paul to the fugitive Onesimus to return to his master. Still more weighty as an argument was that based on the curse of Canaan. Noah had said, "Cursed be Canaan, a servant of servants shall he be to his brethren. Blessed be Shem, and blessed be Japeth, and Canaan shall be their servant." Jefferson Davis in the Senate was to declare that slavery "was established by the decree of Almighty God" and that "through the portal of slavery alone has the descendant of the graceless son of Noah ever entered the temple of civilization." Hammon declared that the precepts of Scriptures condemned the abolitionists.

Closely akin to the Biblical argument was the argument based upon the parallels of history. Slavery had been sanctioned by all ancient peoples, by the gentile as well as the Jew. Aristotle had approved of it, the Greeks and Romans had practiced slavery. Even the fathers of the medieval Church gave their assent. England had admitted villenage, and John Locke had provided for slavery in the Fundamental Constitutions of the Carolinas. Moreover, all great societies were formed on slavery. In the many ramifications of the subject, the Southerners often declared that slavery was the basis of civilization.

A third defense for slavery was based upon a consideration of the natural order of things. Dew, Chancellor Harper, and Governor Hammond of South Carolina were the leaders in an argument which boldly abandoned the equalitarian ideas of the Declaration of Independence. The Declaration had expressed the ideas of revolutionary radicals, and had little place among those who were seeking to protect their property rights. The proposition that all men were created equal was asserted to be im-



possible of proof. "Taking the proposition literally," exclaimed Calhoun, "there is not a word of truth in it." He found it difficult to understand how so unreasonable an idea could ever become current among reasonable men. Governor Hammond referred to it as the "much lauded but nowhere accredited dogma of Mr. Jefferson that all men are born equal." Simms declared the phrase a "finely sounding one, significant of that sentimental French philosophy then so current." This inequality was essential to human progress. Calhoun asserted that the advance of human civilization depended upon the "inequality that exists among men." Always, he argued, there had been "a front and a rear rank in the onward march of humanity." Some men, thought the Southerners, were destined to be without property and to toil for the property holders. Said Dew: "The exclusive owners of property ever have been, ever will and perhaps ever ought to be the virtual rulers of mankind . . . It is the order of nature and of God that the being of superior faculties and knowledge and therefore of superior power should control and dispose of those who are inferior. It is as much the order of nature that men should enslave each other as that other animals should prey upon each other." Chancellor Harper believed that slaves should be kept in ignorance in order that they might perform the more menial necessary tasks. "If there are sordid, servile, and laborious offices to be performed, is it not better that there should be sordid, servile, laborious beings to perform them?"

To all of these writers the Negroes were obviously fitted only for the lowliest tasks. "The Creator," said one, "when he called these races into being, when he stamped upon them different colors, different formations of brain,

*et cetera*, stamped upon the Negro at the same time intellectual inferiority which cannot be changed until his whole organism is changed." Science was thus invoked to prove the natural inferiority of the Negro, and one writer declared that "no moral or physical agencies can redeem them from their degradation . . . that any attempt to improve their condition is warring against an immutable law of nature." Since the Negro could not be improved, it was the duty of the white man to care for him. "Providence," cried Hammond, "has placed him in our hands for his good, and has paid us from his labor for our guardianship."

With history, the Scriptures, and the law of nature in favor of slavery, the proslavery advocates examined the economic effects of slavery. Here, too, they found justification for the system. Beginning with the assumption that only the Negro could work the Southern fields, they concluded that slavery was in itself economically profitable. Dew lost no opportunity to point to the profitable slave trade which Virginia carried on with the States of the lower South. Comparisons of the profits on investments in the South with those in the North led others to support slavery. After the panic of 1857 the Southerners made much of the fact that they had been relatively untouched by the catastrophe. Producing all that they needed and with a surplus to market, they had a stable economic order. The elimination of conflicts between capital and labor was cited as among the greatest blessings conferred by slavery.

In addition to these arguments there was the sociological argument. That was the argument that slavery was beneficial to whites, blacks, and society at large. The

whites were benefited because they were freed from menial tasks and were able, therefore, to give their attention to other problems. They had leisure for the acquisition of knowledge and culture, for the practice of the arts and the sciences, and for participation in government. The manners and morals of the South were improved through slavery, and the necessity for caring for the blacks inspired a spirit of kindness among the master class. As for the blacks, they had been taken from savagery, had been brought into contact with civilization, and were far better off, economically, physically, and morally, than their ancestors had been in Africa. Dew and Harper agreed that the slave was the happiest of men. As for society as a whole, the Southerners pointed to the fact that Southern society was established, peaceful, calm. There were none of the eyesores of free society. There was no prostitution in the South, and the white woman was placed on a plane equal to that of the angels. There were no almshouses in the South, for the plantation system cared for the young and the old. The jails of the South were not filled with petty criminals, and the poverty of the Northern cities was unknown.

There was a final justification of slavery. It was good for the Nation. Through slavery the South was able to support Northern industry. "Upon the South," said one writer, "as upon the strong arm of a brother, so long as negro slavery exists, the North can rely; it will furnish materials for its workshops, a market for its manufactures, wealth to its capitalists, wages to the laborers." Moreover, the cotton of the South supported the country by bringing in a supply of ready money for the enrichment of the North.

## 6. EFFECTS OF SECTIONALIZATION

With the formulation of the antislavery propaganda and the proslavery protests, the two sections diverged. Each had a philosophy to justify its own mode of existence, and each had points of contention with the other. The significance of this crystallization of sectional opinion was seen in the division of the Methodist and Baptist Churches. Before the proslavery defense began, these churches had represented the frontier and the frontiersman's opposition to the economic and political power of the planter aristocracy. But many of the members of the church, thanks to the spread of the area of cotton, rose to the slaveholding aristocracy and to influence in the councils of the church. As the South became a unit for slavery, the whole social scene changed. Presbyterians grew powerful and conservative and no longer voiced the sentiments of the back country. As the members of the churches grew wealthy, they became less opposed to slavery, and the ministers became less willing to rebuke the slaveholder. Converted by the philosophy of the proslaveryites, the church members became the allies of the conservative planters. In 1844 the General Association of Massachusetts corresponded with churches throughout the South. The Presbytery of South Alabama informed their Massachusetts brethren that "immediate emancipation was not only dangerous to themselves, but doubly so to the safety of the white population," and that the agitation of the abolitionists had the effect of combining every class of men in support of slavery. "We who dwell in the midst of the slave population and who ought to be as much respected for our piety and our opinions as those at a distance, see the fatal results and mourn

over them as they spread desolation over the spiritual and temporal welfare of the slave. We have remonstrated and expostulated with our northern brethren, but our expostulations have been unheeded and treated with contempt, or our own motives resolved into mere cupidity and avarice. You have asked us to advise you as to your relation and duty, and how the emancipation of the slaves is to be effected. Our answer to your inquiry is, we exhort you to let it alone . . . as every step you have already taken has only rendered the condition of the slave worse than it ever has been, and has more firmly riveted the chains of bondage, and can never reach the object before you . . .”

As the Northern churches found how thoroughly in sympathy with slavery the Southerners were, an effort was made to reform the Southern members. In 1844-1845 the Southern Baptist associations withdrew from the Mission Board of the Baptist Church and set up a central organization of their own. In 1844, too, the Methodist denomination split. There had been earlier splits from the Methodists, with the abolitionists forming separate organizations of their own. By 1844 the membership of the Methodist General Conference was dominated by those opposed to slavery. Before this conference came the case of Bishop James O. Andrew, of Georgia, who had been elected a bishop twelve years before. He was not a slaveholder, but in 1844 he married a woman who owned slaves. The General Conference suspended him from his office so long as he held slaves. In the debates, Southern members informed their Northern brethren that such a vote would result in a division of the Church. When the vote carried, the Southerners withdrew, and in Louisville in 1845 the Methodist Episcopal Church, South, was

formed. Agreement was made with the Northern Church for a peaceable division of the common property and for mutually exclusive jurisdictions. Within the next few years, both branches of the denomination increased in membership. To men who watched the horizons, this division was alarming. Clay declared, "I would not say that such a separation would necessarily produce a dissolution of the political union of these states; but the example would be fraught with imminent danger, and, in co-operation with other causes unfortunately existing, its tendency on the stability of the confederacy would be perilous and alarming."

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## CHAPTER XI

### THE SOUTH IN POLITICS, 1832-1848

#### 1. REACTION TO JACKSONIAN DEMOCRACY

POLITICAL alignments and party politics immediately reflected the impact of the proslavery argument and the abolition crusade. Within the South the planter aristocracy looked with ill-concealed alarm upon both the growing spirit of nationalism and the Northern assault upon their basic social and economic institution. Regardless of party labels, Southern politicians in and out of Congress united in support of aggressive pro-Southern doctrines.

Although their opposition to the Neo-Federalism of Clay and Adams brought the Southerners into the Jacksonian ranks, the conservative planters grew restive under the democratic nationalism of "King Andrew's" reign. Only South Carolina dared take a belligerent stand for States' rights, but nullification had its partisans throughout the planting sections. Jackson's belligerent proclamation against the nullifiers and his proscription of Calhoun's supporters drove the great slaveholders into the ranks of his opponents. With the addition of a Southern element, the National-Republican party took on the name "Whig" and lost some of its earlier devotion to the "American System." Southern Whigs who co-operated with Clay's Northern supporters were drawn from many sources and represented a confusing variety of interests. Clay



himself had a large personal following in the South, to whom he added the hemp-growers of his home State. In Louisiana the sugar planters, who were also manufacturers, favored a tariff; while the commercial interests of Maryland, survivors of an older Federalism, gave support. In Virginia the commercial interests of the Tidewater towns gave adherence to nationalistic policies, while the Western counties, desirous of internal improvements and industrial development, were torn between their economic interests and their emotional enthusiasm for Jacksonian Democracy. The Western regions of North Carolina favored a national bank but rejected Clay's protective tariff, while in neighboring East Tennessee an opposition to the cotton planters and a hope for internal improvements alike drove the inhabitants into the Whig ranks. The Southern Whig party was a creature of convenience, bound together by a common conservatism rather than an adherence to a definite, positive program. Extremists on the issue of States' rights, they proclaimed themselves "Whigs" in opposition to the "Toryism" of Jackson. While Jackson scorned "these antipodes in politics," Clay and Calhoun drew together to enact the compromise tariff of 1833.

Jackson's war against the Bank of the United States brought more supporters to the Whig party. Many Southerners were stockholders in the assailed bank; and planters, who had learned the advantage of a staple credit structure, favored a system which facilitated moving their crops to market. The bank had loaned money to Richmond newspapers, to George McDuffie, to Tennessee's David Crockett, and to other Southern leaders at low interest rates. When Jackson removed deposits from the Bank of the United States and distributed the federal

money to "pet" banks, Southern conservatives declared his plan unconstitutional. The Virginia, Kentucky, and Louisiana Legislatures denounced Jackson's action, and Virginia's John Tyler joined with Clay, Webster, and Calhoun in passing resolutions censuring the President. In closing up its business, the bank called in loans, producing distress in the South, and supporters of the bank joined with nullifiers and States' rights men in the Whig party.

In the Presidential election of 1836, the heterogeneous elements in the Whig party prevented a union upon a single candidate. Despairing of defeating Van Buren with a single candidate, the Whigs ran three tickets hoping to catch disaffected votes in each section and throw the election into the House of Representatives. Daniel Webster was offered to New England voters; William Henry Harrison ran in the Northwest; and Hugh Lawson White, a Tennessean who had quarrelled with Jackson over Van Buren, was the Southern candidate. There was no national platform, and each candidate presented the issues which would be most helpful in his section. The strategy was unsuccessful, and Van Buren was elected; but his majority in the popular vote was less than 30,000. In the South, White carried Georgia and Tennessee while Kentucky and Maryland cast their votes for Harrison. South Carolina, still under the influence of Calhoun and the nullifiers, gave its votes to Willie P. Mangum, of North Carolina. In the other States the conservative planters, believing Van Buren less radical than Jackson, voted for the Democratic nominee.

Less able than Jackson to appeal to the democratic masses, Van Buren was forced to resort to the politician's devices to heal the breach in his party. Although he an-

nounced that he would "follow in the footsteps of my illustrious predecessor," his administration was marked by a real effort to conciliate the South. In his earlier career, the President had opposed slavery; but he momentarily dropped his antagonism and sought conservative support. The election taught Calhoun that he could never obtain the Presidency through a party which stood for internal improvements, a tariff, and a national bank. Accordingly, as Van Buren made overtures, the South Carolinian returned to the Democratic party. In South Carolina Calhoun gained undisputed control of the party and even punished former nullifiers who refused to leave the Whigs. In other States men perceived that they had little in common with the nationalistic Whigs and returned to the Democratic fold. Mississippi's John A. Quitman, Virginia's R. M. T. Hunter, W. F. Gordon, and L. W. Tazewell followed Calhoun's example, and the local Democratic organizations received the returning prodigals and rewarded them with offices. The continuance of social divisions in the South, however, led many a planter to prefer the aristocracy of the Whigs to popular democracy, and the Whig party remained a force in Southern politics.

## 2. THE SOUTH UNDER VAN BUREN

The greatest problems of Van Buren's administration grew out of the panic of 1837. Jackson's *Specie Circular* caused a decline in land values, and a falling off of other revenues brought a deficit to the Federal Treasury. Widespread speculation, especially in the Southwest, precipitated a panic, and Southern States from Maryland to Louisiana found themselves burdened with debt. In 1836 a failure of the wheat crop brought misfortune to

the Middle States and the Northwest; and although Southern planters picked more than the usual amount of cotton, the price fell rapidly to ten cents a pound. Commission merchants, upon whom the cotton planters depended, went bankrupt, and the cotton bales remained unsold in warehouse and gin.

Panic and distress had repercussions in the congressional elections of 1838. The elections turned largely upon the issue of Van Buren's independent treasury, which the President had proposed as a substitute for the defunct Bank of the United States. Since the independent treasury would act only as a government depository, the Whigs alleged that it would do nothing to stabilize credit in the Nation. Southern conservatives supported the Whig contentions, and in the elections the Whigs gained control of the legislatures in Virginia and North Carolina, while Georgia and Louisiana returned solid Whig delegations to Congress. The Democrats were able to maintain a precarious hold on Alabama and South Carolina.

In the Congress elected in 1838 there was a majority opposed to the administration. Able though he was as a politician, Van Buren was unable to make appreciable headway on his own program. Calhoun came to his support and made an alliance with Missouri's Thomas Hart Benton, the leading champion of the democratic elements in the West. Together they supported the independent treasury and Benton's pet bills permitting squatter rights of pre-emption and a gradual reduction of the price for Western lands. In effect this was a new tentative alliance of the South and West, and bore promise of success in the coming elections. In June, 1840, just on the eve of the Presidential campaign, the allies pushed the independent treasury bill through Congress.

The Congressional elections of 1838 gave new hopes to the Whig leaders. Clay, Webster, and John Quincy Adams each began to look forward to the campaign of 1840. Clay perceived an opportunity for Southern support and intimated that he was ready to abandon the "American System" and would allow the compromise tariff of 1833 to remain permanently. In the interval between the elections of 1838 and the campaign of 1840, many Southern leaders endorsed Clay's candidacy. John Tyler was frequently suggested as a suitable Vice-Presidential candidate.

The Democrats renominated Van Buren in 1840 without dissent. The platform endorsed States' rights, favored divorcing the government and the banks, and opposed internal improvements and the protective tariff. Although the platform asserted that the Declaration of Independence was a cardinal article of Democratic faith, it was equally emphatic that Congress had no power to interfere with slavery in the States. The platform showed the extent of Southern influence in the party, and the Westerners voiced their displeasure at the polls in November.

Months before the Democratic convention, the Whigs assembled to nominate a candidate. Although Clay and Webster were both strong contenders, the convention selected William Henry Harrison as its standard bearer. Harrison stood for States' rights and opposed a high tariff, and was more Jeffersonian than Federalist on the issue of a bank. On slavery he pleased the Southerners by conciliatory statements. Even less of a Whig was John Tyler, selected for the Vice-Presidency. His opposition to a bank, tariffs, and internal improvements would have made him a Democrat had he not opposed Jackson's

dictatorial methods. The election was not won, however, on the issues. While the candidates kept silence on the issues, the campaign was fought out on ephemera. The Whigs charged that Van Buren was an aristocrat, dining from gold plate in the luxurious surroundings of the White House, while Harrison was a man of the people, humbly willing to live in a log cabin and drink the beverage of the common man—hard cider! In the South the poorer elements rallied to the Whigs much as they had once cheered for Jackson. Believing that Harrison was the embodiment of Jeffersonian democracy, the people gave him the electoral votes of Kentucky, North Carolina, Maryland, Georgia, Louisiana, Mississippi, and even of Jackson's own State of Tennessee. Virginia was Democratic by the narrow margin of a thousand votes. South Carolina, Alabama, and Missouri were for Van Buren.

One feature of the campaign of 1840 was the appearance of the first definitely abolitionist party. In April a convention in Albany, New York, launched the Liberty party and nominated James G. Birney for the Presidency. In the election the party polled but 7,000 votes, but it had perfected an organization and was a significant cloud upon the political horizon.

### 3. TYLER'S ADMINISTRATION

Although Harrison was elected President, Henry Clay expected to play the leading role in the new administration. The Whig party had no definite program; Western Whigs had voted for internal improvements while Southerners were opposed, and Eastern Whigs favored a tariff which Southerners believed had been abandoned. Clay, however, still clung to his "American System" and pre-

pared to enact its features into law. Under Clay's influence, Harrison selected a Cabinet of nationalists and called Congress into special session.

Before Congress met, Harrison, who had recklessly exposed himself on inauguration day, was dead, and John Tyler was President of the United States. Representative of Virginia's Tidewater planters, Tyler had no sympathy with Clay's program. When Congress met, Clay immediately marshalled his supporters for an assault upon the independent treasury. Tyler accepted a bill destroying Van Buren's institution; but when Clay sent him a bill creating a new national bank, the President promptly returned it with a veto. The rejected bill contained provisions, framed to meet Calhoun's objections, that the bank could not establish branches in States which forbade their operation, and Clay considered this sufficient concession to Tyler's prejudices. After the veto, however, Clay made further alterations changing the name from "bank" to "fiscal corporation" and reducing the proposed capitalization, but Tyler was undeceived by the device and rejected the new bill.

After this second veto, Clay called the President's Cabinet into consultation. All but Webster, who as Secretary of State was carrying on with the British Ambassador negotiations in which New England was vitally interested, agreed to resign in protest. Then the Whig congressmen, despite protests from the Southern element, united in a solemn declaration that Tyler had been in "free communion with those who have been busy to prostrate our purposes . . . We have reason to believe that he has permitted himself to be approached, counselled, and influenced by those who have manifested least interest in the success of Whig measures." The caucus therefore

repudiated its President and denied responsibility to the people for his actions.

Tyler immediately selected a Cabinet which more closely reflected his own ideas. Three Southerners, Abel P. Upshur of Virginia, Hugh S. Legare of South Carolina, and C. A. Wickliffe of Kentucky, accepted positions, and the majority were conservatives who would not offend the South. Tyler, however, was politically isolated for the rest of his administration.

When Congress met in December, 1841, Clay returned to offer a new tariff bill. The compromise tariff of 1833 was about to expire, and the Northern Whigs were in no mood to conciliate the South. Tyler had been largely responsible for the compromise measure, and in his message to Congress he declared himself in favor of discriminating duties in favor of American industry, but he hoped that it would not be necessary to raise the rates to more than 25 per cent. The Secretary of the Treasury called attention to the fact that the "great principle" of the act of 1833 "was moderation and conciliation, and this should never be lost sight of." He proposed a 20 per cent tariff. On August 30, 1842, after twice vetoing obnoxious bills which came from Congress, Tyler accepted a revised tariff. The rates of the new tariff were slightly higher than those of 1833 but still fell far short of those demanded by the Northern industrialists. On the issue of the tariff, the Whigs and Democrats prepared to enter the election of 1844.

Among the Whigs it was widely charged that the reason why Tyler opposed the tariff and the bank was his desire to conciliate Calhoun. Partly because he believed this, and partly because he believed that he could organize his followers from the outside better than from the inside,



Clay decided to retire from the Senate. In doing so he offered a "farewell" address in which he reviewed his record for the years that he had been in the service of the government. At the close of his address, Calhoun, for the first time in years, took him by the hand. Calhoun, too, gave notice that this was the last Congress in which he would serve. The two men were not bidding farewell to public service, for both had Presidential aspirations. Eight years later, they were both back in the Senate.

As Clay split with the President, Whigs in the South were faced with the dilemma of which of their two leaders to follow. Prevented by the lines of social cleavage from entering the Democratic party of the masses, the Whig leaders had to take their choice between Clay, representing the old principles, and Tyler, the States' rights opponent of Clay's nationalism. Largely on the basis of local social differences, Whigs decided to support the Kentuckian. Moreover, there were other forces contributing to Clay's following. In Mississippi the Whigs, coming into power after the people had disapproved of a repudiation of the State debt, announced themselves to be the defenders of honesty in the State. In Georgia the Whigs were opposed to loaning State money to individuals, and throughout the South the Whigs stood for honesty in government while the Democrats supported what appeared unsound methods of local financing and an unsound currency. In States where the Democrats had been in power for some time, the Whigs were able to present themselves as reformers. In addition, the Whigs, both nationally and locally, opposed the Democrats on the issue of internal improvements. Such forces benefited Clay rather than Tyler, who had shown himself too close to the Democratic position. In a num-

ber of States there were prominent leaders who had always been faithful to Clay, and now these rallied their followers to his cause. The South, too, had a large number of Northern-born men whose earlier predilections had been toward the "American System." The Whig press in the South, with many Northern connections and usually in favor of a closer association between Northern and Southern Whiggery, was almost a unit in favor of supporting Clay. When the split came, Tyler was able to count upon only a few supporters within his party from Virginia.

At the moment there was another factor working for the advantage of the Whig party in the South. Opinions were about to change on the issues between the sections. Tyler's attack on the bank was resented by many in the South who had been taught by adversity that the bank might confer benefits. At the same time, there was renewed talk of cotton manufacturing, and the promoters of industrial schemes hoped for protection of their infant industries. Cotton planters, at the same time that they were thinking of the possibilities of manufacturing their own cotton, were keeping an eye on experiments in growing cotton in various parts of the British Empire. English competition in the production of the staple would make necessary vigorous methods of competition with England for the textile market.

Within the ranks of the Democrats, the division between Clay and Tyler was received with rejoicing. The editor of the Charleston *Mercury* exulted to Calhoun, "They have melted away, and I need now scarce do more than congratulate you upon the assured triumph of our party and in that, I hope, of our principles. That the Democracy will come into power once more scarcely admits doubt. Neither Tyler nor Clay are now to be feared.

No opposition is to be feared if the parties are true to the position in which South Carolina has placed them." As for Tyler, the editor disapproved of his appointing to office men who were close to New York's Seward—it was "a wound to the South which was not to be expected from a southern President," yet at the same time it separated him "more widely than his weakness had already done from our support; but the rush of public opinion will sweep him so much to the right side, that he will give very little trouble."

Calhoun's chief task in these years was to keep the Democrats aligned with the principles of States' rights and Southern demands that South Carolina had long advocated. The Carolina leader had contacts with the leading politicians of every State in the Union and kept in close touch with every local development. To his supporters in the South he wrote frequent letters urging them to support a strict construction of the Constitution, States' rights, and the rights of the South. "The combinations in Christendom against the slaveholding interest," wrote R. M. T. Hunter, "the course of English diplomacy abroad, the state of northern feeling at home, and the present necessity for maintaining the balance of power between the free and the slaveholding states constitute a crisis which gives an importance to this question and also the election of a southern President, which I think our papers and speakers might turn to good account." Under Calhoun's influence, Hunter and other leaders began to turn the newspapers to advocate a Southern President.

While Calhoun was erecting Southern rights into a leading political issue, the Whigs of the South vigorously asserted that they were true protectors of the South and the slaveholder. Three-fourths of the owners of slaves

in the South voted the Whig ticket, and the Whig vote was largest in counties which had the greatest number of Negroes. Southern Whigs were insistent that abolitionists should stop their agitation, and they seriously proposed to stop commercial intercourse with the North. In 1836 they presented White as a slaveholding candidate for the Presidency, and in the next year they were among the more ardent supporters of Calhoun's famous resolutions. Yet, at the same time, the Northern branch of the Whig party was the political home of most of the abolitionists. The clash between Northern and Southern Whigs effectively prevented the Whig party from becoming the controlling force in the Nation, and the final collapse of the Whigs broke the last tie which held the Union together.

During the summer of 1842 Clay made an effort to win the Southern Whigs over to his cause and to present himself as a compromise candidate on the issues. At Richmond, Indiana, a Quaker presented the candidate with a petition calling on him to emancipate his own slaves. Clay replied with a condemnation of slavery and with the wish that every slave in the United States were back in Africa. Although admitting the evils of slavery, he declared that he feared that greater evils would result from immediate emancipation. Were that accomplished, he predicted a "contest between the two races, civil war, carnage, conflagration, devastation, and the ultimate extermination or expulsion of the blacks." He was in favor of the gradual emancipation of the slaves, which the abolitionists had set back by half a century. As for his own slaves, he could not set them free, however much he might like to do so. There were among them aged and infirm for whom he would have to care. Turning to the Quaker

who had presented the petition, Clay asked if he and the other signers would contribute \$15,000 to care for the slaves after they were emancipated. The orator's skill in evading the issue of abolition lost him few votes in the South, although the extremists in the section saw in his attitude that Clay could not be trusted to protect the rights of the South.

#### 4. THE TEXAS QUESTION

Cutting athwart the ambitions of candidates for the Presidency in these years came the question of Texan annexation. The migration of Southerners into Texas had begun while Texas was still a part of the Spanish province of Mexico. The Western movement of the cotton frontier eventually brought the Southerners to the limits of Louisiana. After the Louisiana Purchase, the Americans claimed the Rio Grande as their western boundary; but in the Florida Purchase treaty of 1819 John Quincy Adams contented himself with Florida and drew the western boundary of the United States along the Sabine River. Southerners claimed that Adams had abandoned the South, and Jackson, Clay, and Benton denounced the treaty. But international agreements could not stop either the expanding planter or the aspiring land speculator. Two years after the Florida treaty, Stephen Austin received a grant of Texas lands from the Spanish Government. Late in 1822 Moses Austin received a confirmation of his father's concession from the newly created Government of Mexico. Austin was permitted to bring in 300 families, each of whom would receive over 4,000 acres. The colonists were to take oaths of allegiance to Mexico and to join the Roman Catholic Church. Austin had

little difficulty in finding settlers, although few of them were willing to subscribe to either the religious or the political requirements. A few years later, the Mexican Government made provision for more such colonies. Within a decade, over 20,000 Americans migrated to Texas, and the Mexican authorities became alarmed at the success of their project. The Americans refused to become assimilated with the Mexican people, retained their religion, and continued the social customs of the South. A revolt among the Americans led the Mexican authorities to reverse their policy and to forbid further migration into Texas, suspending all unoccupied land grants. The Texans protested, and when their protests were ignored and further restrictions placed upon them, they demanded self-government. Discontent soon led to armed revolt, and in 1836 Texans raised the flag of rebellion and declared their independence. Sam Houston, a friend of President Jackson, led the Texan armies to victory over the Mexican Santa Anna.

The Lone Star Republic had no desire to pursue an independent existence, and immediately voted in favor of annexation to the United States. President Jackson favored the acquisition, but he advised delay until after the election of 1836. The question excited an outbreak of sectional animosities in Congress. In the House of Representatives, John Quincy Adams opposed the annexation of more slave territory and even objected to recognizing the new nation. Other Northerners agreed that either recognition or annexation would lead to war with Mexico, while Calhoun and his cohorts advocated immediate annexation. Jackson delayed recognition until after England had received a Texan mission, and handed the problem of annexation over to his successor.

The Texans renewed their request for annexation in 1837 and again in 1838, but Van Buren was unwilling to take any action. Although Calhoun and his friends aided the President's sub-treasury schemes, Van Buren would not reward them by adding another slave State to the Union. To the request of the Texan minister, the President replied that the proposition "necessarily involved the question of war." Van Buren's popularity in the South declined rapidly after this decision, and Calhoun assumed the leadership of those Southerners who wanted annexation.

With Tyler's accession, the South brought renewed pressure for the annexation of Texas. For a time, Webster's presence in the State Department prevented action; but in 1843, Webster, having completed the Webster-Ashburton Treaty with England, left the Cabinet. In his place Tyler promoted Abel P. Upshur, a Virginian who was anxious to take up the Texas question. Soon after his accession, Upshur consulted the Southern leaders and found most of them eager for expansion. R. M. T. Hunter wrote to Calhoun that "the President was a little doubtful of pressing" annexation, but that "should he concur with Upshur, and should the question itself be vigorously discussed in the papers, the South must unite. Perhaps also the West or a portion of it will join us . . . I have been writing to our Richmond committee to write to our orators to take the stump . . . This Texas question might be urged by them with great effect."

One powerful motive causing the South to favor annexation was the recent loss of representation in the national legislature. By the apportionment of 1841, South Carolina's delegation in the House of Representatives declined from nine to seven, while Virginia lost five mem-

bers. At the same time, North Carolina, Kentucky, Tennessee, and Georgia made such slight gains in population that they barely kept their former delegation. Despite the three-fifths clause, the South was losing out in the race for population. The slight gain in the Southwest was more than counterbalanced by the increased growth of the Northwest. With an area large enough to be divided into a number of States, Texas would enable the South to maintain her parity in the Senate and to gain in the House.

With this situation confronting them, Virginia and South Carolina united to force the Texas question to a conclusion. Ex-Governor Gilmer, of Virginia, became a leader of the movement to secure in Texas a "Gibraltar for the South"; Henry A. Wise, contending that the South needed "more weight to her end of the lever," joined in the Southern demand. Throughout the South newspapers added that annexation would afford "a permanent guaranty of protection" to slavery, and insisted that annexation must be accomplished "now or never."

Allies for the Southerners came as expected from the West, where there was considerable interest in the annexation of Oregon. Since 1818 this region had been under the joint occupation of Great Britain and the United States. Almost from the beginning of this arrangement, Thomas Hart Benton had insisted that joint occupancy be denounced and the United States assume exclusive control. The question was popularized in the North by the missionary activities of Congregationalist ministers, and there was a widespread demand for annexation. The Southerners saw their chance to obtain the votes of the West for Texas if they would promise their support for Oregon. "I am sure it is our policy to unite



the two questions together, and thus separate the non-slaveholding northwest states from the Northern states," wrote F. W. Pickens to Calhoun.

As the Southerners pressed the issue of the annexation of Texas, ambitious politicians were forced to take sides. As the candidate of the Southerners, Calhoun was anxious for the Democratic nomination, and Southerners preferred him to Van Buren. Throughout 1843 Calhoun and his friends scanned the political skies in hopes that State elections would indicate a stronger support for the Southerner than for Van Buren. In the winter of 1843 a Baltimore paper printed a letter written by T. W. Gilmer asserting that annexation of all territory to the Pacific Ocean was inevitable. The letter, which had Jackson's endorsement, was designed to force Van Buren out of the running. Jackson's reply was concealed in hopes that it might be read at the Democratic convention and prevent Van Buren's nomination.

Meantime, the opponents of annexation rallied behind the antislavery delegation in Congress. John Quincy Adams became convinced that the South was engaged in a conspiracy to annex Texas. Just as Congress ended in March, 1843, Adams, Giddings, and 11 other members of the House signed an address to the people warning them of the conspiracy to bring Texas into the Union as a slave territory. This was an "attempt to eternize an institution and a power of nature so unjust in themselves, so injurious to the interests and abhorrent to the feelings of the people of the free states, as in our opinion not only inevitably to result in a dissolution of the Union, but fully to justify it; and we not only assert that the people of the free states ought not to submit to it, but we say with confidence that they will not submit to it."

Interests other than Southern expansion were involved in the Texas question. The finances of the Texan Republic had been muddled from the revolution of 1836. Treasury receipts were less than a third of the annual expenditures, and the deficit was met by the sale of bonds. Because of the poor credit of the country, the value of the bonds declined rapidly until the eight per cent bonds were selling at a few cents on the dollar. These bonds, whose principal and interest were in arrears, were held by American speculators. In addition, Americans had bought large amounts of Texan land scrip issued by companies with tenuous claims to large grants. The holders of land scrip were as anxious as Southern planters for American annexation and the assumption of the Texan debt.

In 1843 a new development darkened their hopes of payment. Through the efforts of the British and French ministers in Mexico, a truce was arranged between Mexico and Texas. Sam Houston, the Texan President, despairing of annexation, turned to England and instructed his minister in Washington to inform the United States that Texas would no longer consider entering the Union. The South was alarmed lest England should encourage Texas in remaining independent. The cotton fields of Texas would thus supply the English mills, and the market for the Southern staple would be cut off. Moreover, the idea got abroad and was widely believed in the South that England was ready to offer Texas protection and a loan if she would emancipate the slaves in the Republic. In return for this loan, Texas would adopt the free trade principles of Great Britain, furnishing thereby a market for English goods and a source of supply for the English mills.

As the administration became convinced of this plot,

Secretary Upshur reopened negotiations with Texas for annexation. Although the Mexican minister warned the government that such action would be considered a declaration of war, the negotiations went on and the administration gave assurances to the Texans of protection should Mexico attack them while the treaty was pending. Before negotiations were completed, Upshur was killed by an explosion of a cannon on a naval vessel, and Tyler called Calhoun to the State Department. Under Calhoun the treaty was pressed to a conclusion, and on April 12, 1844, it was signed. By its provisions Texas was to be annexed as a territory, her public lands should be surrendered, and the United States would assume ten million dollars of the Texan debt. Calhoun explained to the British Minister that the treaty was "made necessary in order to preserve domestic institutions, placed under the guaranty of the Constitutions of the United States and Texas." Slavery, declared the Secretary, was "essential to the peace, safety, and prosperity of those states of the Union in which it exists." In the words of the Mexican Minister for Foreign Affairs, who protested to the State Department, "in order to sustain slavery and avoid its disappearance from Texas and from other points, recourse is had to the arbitrary act of depriving Mexico of an integral part of her possessions."

With Mexico threatening war, the country took alarm. While the Senate was considering the treaty, public meetings were held in North and South in order to impress the Senators with the popular will. Northern meetings were inclined to the view that annexation would be followed by war, while Southern meetings were equally convinced that Mexico would not fight and that annexation was a necessity. W. H. Seward of New York expressed the feeling of

the abolition extremists when he declared that "to increase the slaveholding power is to subvert the Constitution, to give a fearful preponderance which may and probably will be speedily followed by demands to which the democratic free-labor states cannot yield and the denial of which will be made the ground of secession, nullification, and disunion." With such protests from the North, the annexationists failed to rally the necessary two-thirds majority to ratify the treaty.

## 5. THE ELECTION OF 1844

While action on the treaty of annexation was being delayed, the campaign of 1844 got under way. Despite Calhoun's efforts, Van Buren received the endorsement of more than a majority of the delegates elected to the coming Democratic convention. In the Whig party the nomination of Clay was a foregone conclusion. Neither of the candidates wished to campaign on the issue of the extension of slavery, and in the spring Van Buren, on his way to visit Jackson at Nashville called on Clay at Lexington, Kentucky. The two candidates issued letters defining their position. Clay's letter was written from Raleigh, North Carolina, and Van Buren's from his home in New York. Both candidates advised against discussing the question in the elections. Both stated that they were in favor of annexation if it could be accomplished without war with Mexico, but both declared that such a war would be both impolitic and unjust.

The appearance of these letters created widespread discussion. Clay was not especially injured in the North, but Van Buren was hurt in the South, where men prepared to go into convention to defeat his nomination. "I

would to God I had been at Mr. V. B.'s elbow when he closed his letter," exclaimed Andrew Jackson. "I would have brought to his view the proper conclusion. We are all in sackcloth and ashes." Clay also was injured in the South, and he wrote more letters attempting to show that he was not personally opposed to the annexation of Texas and that he would favor it if it could be done without war and without dishonor, and with the consent of the States. Such temporizing cost him many votes.

Three days after his letter, Clay was nominated by the Whigs assembled in Baltimore. The platform made few concessions to the South but declared for internal improvements, tariffs, distribution of the proceeds of the sales of public lands, and hostility to executive usurpation. Later in the month, the Democrats also assembled in Baltimore, but the nomination of Van Buren was not to result. Before the convention met, the Calhoun forces, taking a cue from a letter of Mississippi's Senator Robert J. Walker, had offered the West "reoccupation of Oregon" in return for Western support for the "reannexation of Texas." In the convention, Walker succeeded in getting the two-thirds rule adopted, and Van Buren's leadership was gone. The platform declared in favor of acquiring Texas and Oregon, and the convention proceeded to ballot for a candidate. Eight votes had been cast without a decision when Gideon Pillow, of Tennessee, asked for the floor. He had a letter from Jackson to read to the convention. The old master of the Democratic party suggested that if the convention could not agree to take Van Buren, it should select James K. Polk, of Tennessee. On the ninth ballot, Polk was nominated.

Although Polk was a "dark horse" and the Whigs ridiculed him by asking, "Who is James K. Polk?" the cam-

paing was conducted definitely on the issues of the tariff and annexation. The Democrats were pledged to reduce the tariff of 1842, and on the question of expansion the twin slogans of "The reannexation of Texas and the re-occupation of Oregon" and "Fifty-four forty or fight," referring to the demand for the whole of Oregon, carried the day. In the South the old Whigs tried to maintain the line for Clay, but the task was difficult. Many of them attempted to find Southern arguments to support a candidate who was opposed to expansion. Waddy Thompson declared that annexation would weaken slavery by expanding and scattering it. Others insisted that the Union was in danger if Democrats were elected, and made a futile effort to present the Whigs as the true union party. Without an opportunity to repeat the "log cabin" campaign of 1840, the Whigs lost votes in all parts of the South. At the same time, Clay lost the votes of Northern extremists. The Liberty party again offered James G. Birney on a platform condemning slavery in no uncertain terms, and abolitionists in New York, reacting against Clay's attempts to ingratiate himself with the South, voted for the Liberty Party candidate. Sufficient numbers took this course to insure Clay's defeat, and New York's vote elected Polk. Inadvertently the abolitionists elected a Southern slaveholder to the Presidency, but Birney rationalized the proceeding by declaring that Polk was a man of little ability and therefore less dangerous than Clay.

Although the treaty for the annexation of Texas had been rejected by the Senate, Tyler interpreted the outcome of the election as a mandate from the people in favor of annexation. With no chance of getting a new treaty ratified, the President and Calhoun prepared to

force annexation by other means. When Congress met in December, Tyler recommended that Congress annex Texas by joint resolution. On December 12 a resolution was introduced which was debated for a month and emerged with an amendment, offered by a Tennessee representative, to the effect that Texas might be divided into as many as four States. The provisions of the Missouri Compromise were also extended over the region. In this form it was accepted, and Tyler hastened messengers to Texas, advising that annexation under the resolution be accepted. The last day of his administration, Tyler announced that Texas had accepted and was a part of the Union. To President Polk, Tyler left the consequences.

## 6. THE MEXICAN WAR

Birney's estimate of President Polk as a man who would be able to accomplish little was as great an error as the political tactics of New York's abolitionists. Few Presidents have been able to accomplish more of their original purposes. When he took office, Polk was prepared to acquire Oregon, annex California and New Mexico, and reform the tariff. Before he left the White House, his entire program had been completed. In his inaugural address, the new President announced his intention of claiming all of Oregon, and at his suggestion Congress passed resolutions ending the joint occupancy which England and the United States had held since 1818. The British ministry showed a willingness to negotiate, and in 1846 Polk signed a treaty with England which agreed to a division of the territory.

Southerners took a vital interest in tariff reform, and in his first annual message Polk recommended new legisla-

tion to replace the existing Whig measure. Secretary of the Treasury Robert J. Walker, of Mississippi, denounced the protective principle and proposed a tariff for revenue which should be "so imposed as to operate as equally as possible throughout the Union, discriminating neither for nor against any class or section." The Walker tariff occasioned much debate and brought a swarm of manufacturers to Washington to lobby against the bill. So effective were the arguments for protection that the Senate vote was tied and the Vice-President made the decision. Although Southern Whigs remained loyal to their party and supported the old tariff, the new law was pleasing to the South.

At the same time that he pushed the tariff and the Oregon settlement, Polk took steps to acquire California from Mexico. As soon as the joint resolution annexing Texas passed Congress, the Mexican minister left Washington. Undismayed by the Mexican protest, Polk blithely appointed Louisiana's John Slidell as Ambassador to Mexico. The President instructed Slidell to settle the disputed boundary between Mexico and Texas and to adjust the claims which American citizens had against the Mexican Government. In annexing Texas, the United States had annexed a boundary controversy as well. Texas claimed the Rio Grande as her southern boundary, while Mexico alleged that the Nueces River was the proper line; but since Mexico had never recognized Texan independence, the Sabine River was technically the border between the two nations. The claims which Slidell was to adjust amounted to \$2,000,000 and had been settled by a convention. However, Mexican payments were in arrears, and Slidell had instructions to offer to assume the claims and pay \$25,000,000 for California and New Mexico.



To Mexicans who were expecting an apology from the United States for the annexation of Texas, Slidell's efforts to acquire more territory seemed a gross insult. The government refused to accept the American ambassador and the Mexican people demanded war. While war fever ran high in Mexico, Polk determined to recommend a war on the ground that Mexico had refused to receive Slidell and adjust the unpaid claims. In preparation, the President ordered General Taylor to occupy the right bank of the Rio Grande. On April 24 a clash between American and Mexican skirmishing parties resulted in bloodshed. The news of this encounter gave Polk a better reason for recommending war, and on May 11, 1846, he advised Congress that "Mexico has passed the boundary of the United States, has invaded our territory, and shed American blood upon American soil." Congress immediately recognized a state of war with Mexico.

Congressional abolitionists were quick to declare that the war was being fought for the extension and preservation of slavery. John Quincy Adams and Joshua R. Giddings led the opposition forces in Congress, while in the Northeastern section there was little enthusiasm for the conflict. The West, however, welcomed the war, and volunteers rushed to the hastily organized militia commands. Four-sevenths of the volunteers came from the West, and the Western Democrats were most insistent for the annexation of all of Mexico. Southerners, too, supported the war, but Calhoun refused to vote for the declaration. Southern Whigs joined with the Northern members of the party in voting for war measures. At the same time, they denounced the President. The South was by no means united in support of the war or of the acquisition of more territory.

Stung by the abolitionist charges that the war was being fought to increase the area of slavery, Northern Democrats sought an opportunity to give the lie to their detractors. When a bill to appropriate money for peace negotiations was under debate, David Wilmot, representative from Pennsylvania, moved an amendment declaring that slavery should not exist in any territory acquired as a result of the war. Southerners immediately objected to the Wilmot Proviso, and men of all parties united to defeat the scheme. As the war progressed, Southerners came to the conclusion that slavery could not exist in California and New Mexico, and there developed a strong Southern movement against annexation. The injection of the slavery issue, however, increased the desire of Northerners for the territory, and before the war was over there was a definite Northern group of expansionists and a Southern group who objected to new acquisitions. Both groups were convinced that slavery could not exist in Mexican territory. The Southern opposition was largely responsible for the failure of a movement to annex all of Mexico. By the Treaty of Guadalupe Hidalgo, the United States acquired only the territory north of the Rio Grande between the mountains and the Pacific.

The military campaigns of the Mexican War were notable for three things: the ease of American victories, the political jealousies aroused, and the number of later Civil War officers who gained their first martial experience on the battlefields of Mexico. General Taylor led the American advance against the armies of Santa Anna, fighting battles at Palo Alto, Resaca de la Palma, Monterrey, and Buena Vista. Taylor's success, however, gave Whigs hopes that they would have a new military hero for a Presidential candidate, and Polk sought for a Democratic

general. Failing to find a competent commander in the ranks of his partisans, the President sent General Winfield Scott, a rival Whig, to lead an expedition from Vera Cruz to Mexico City. In the armies of these generals there served the leaders of the Civil War. Jefferson Davis, of Mississippi, resigned a recently acquired seat in the House to lead a regiment of Mississippi Rifles with Taylor's armies. At Buena Vista he arranged his men in a V-shape to meet and repel Santa Anna's charge, and thereafter claimed credit for the victory. Robert E. Lee served on Scott's staff, while Albert Sidney Johnston, Joseph E. Johnston, P. G. T. Beauregard, and many others saw service and gained valuable training.

The immediate political result of the Mexican War was the election of Zachary Taylor as President of the United States. Taylor was a Southerner and a slaveholder; and Southern Whigs, devoted to States' rights and eager to challenge the antislavery sentiment in the Northern wing of the party, launched a movement to nominate the frontier general. When the Whig convention met in Philadelphia, the Southern candidate was selected on the fourth ballot. Millard Fillmore, long an opponent of the abolitionist William H. Seward in New York politics, was selected for the Vice-Presidency. Taylor proved strong in the South, where many planters preferred a slaveholder to Michigan's Lewis Cass, the Democratic nominee. Cass had proposed leaving the question of slavery in the newly acquired territories to the settlers, and Southerners feared that this program would result in the exclusion of the plantation system. In November Taylor carried Kentucky, Tennessee, Maryland, North Carolina, Georgia, Florida, and Louisiana, and Southerners breathed more easily in the belief that the abolitionist principles of the

Wilmot Proviso had been scotched. It was not long before they discovered that Taylor's silence during the campaign had deceived them. The new President was to prove no friend of the South.

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## CHAPTER XII

### THE SOUTHERN SYSTEM, 1830-1860

#### 1. PLANTATION AND SOCIETY

WHILE Calhoun was uniting the South in adherence to a definite Southern policy in politics, and the newly inspired proslavery advocates were consolidating the social philosophy of the section, the whole organization of Southern life was becoming fixed. In the North, the period from Andrew Jackson to James Buchanan was one of social chaos in which a variety of reform movements, ranging from an extension of the suffrage to highly emotional temperance agitation, kept pace with the transition from an agricultural to an industrial system. The factory system, beginning in Washington's administration with the small textile mills of Morris Brown and Samuel Slater, had spread over all of New England, most of the Middle States, and parts of the West. By 1860 the Northern section had manufactures of a value of \$1,884,-861,000 and employed over a million men, women, and children. In addition, mining, commerce, and banking had increased, while Northern agriculture, stimulated by contact with the rising industrial cities, had grown until its annual output far exceeded in value the cotton, rice, sugar, and tobacco of the slaveholding States. In the midst of this wealth, industrial capitalists, great merchants, and bankers reigned supreme over a population of laborers, many of whom were crushed by poverty into

squalid tenements, and small farmers whose total output, large as it was, seldom sufficed to give freedom from debt or opportunity for culture.

In sharp contrast to the Northern industrial system was the relatively placid social and economic life of the South. The Kingdom of Cotton, bordered on its sides by the allied provinces of tobacco, rice, and sugar, stretched from the Potomac to the Rio Grande. In an area of almost a half million square miles, the production of cotton occupied the major part of the attention of all of the people. By the end of the period the South was producing almost 4,000,000 bales of cotton annually, which constituted nearly 60 per cent of the country's exports and brought \$191,000,000 in the markets of Europe. In Louisiana and in portions of the bordering States, sugar demanded a capitalization of \$100,000,000 and produced 280,000 hogsheads. Tobacco's annual value was \$434,000,000, and rice added \$2,000,000 annually to Southern wealth. Scattered sections, too, produced hemp, corn, wheat, oats, and live stock. But in all the South there was little else than agriculture to supply wealth.

Within the Cotton Kingdom towns were few, and cities, with the exception of Richmond, Charleston, and New Orleans, were nonexistent. Into these three cities came the planters for a winter season of balls and politics, but the center of Southern life was the plantation. Although fiction has pictured the South as a land of great plantations and nostalgic postwar generations have given credence to the legend, the Old South was in reality a land of small farms. Except in a few localities, the plantation was comparatively rare. Small farms were the rule, while the exceptional large plantations scattered



among them were occupied by less than one-tenth of the population.

Plantations varied in size from a few hundred to several thousand acres, the average being about a thousand acres. The great landholders of the South, such as Wade Hampton, the Hairston family, and William B. Goulden, owned extensive areas, but seldom were their holdings in one place. Nathaniel Haywood, of South Carolina, for example, owned 15 plantations devoted to rice and cotton, while Goulden, owner of a thousand slaves, had had to purchase an annual plantation in order to provide for their natural increase. From 60 to 100 Negroes were considered the most profitable agricultural unit, and these could best work an area of a thousand acres.

The plantation itself sometimes took on the general outlines of the popular legend. In many places the "big house," set upon the top of a hill, surrounded by giant oaks which hid from view the rows of Negro cabins in the background, was a beautiful and comfortable dwelling. Large rooms furnished ample space for dancing and festivities and induced the coolness which the warm climate made desirable. Large verandas aided in the quest for comfort and acted for long torrid months as the living rooms of the planter's family. Walls about the lawns protected them from wandering livestock and served to preserve the illusion of grandeur with which so many of the planters tried to surround themselves.

Back of the manor house of the planter were the cabins of the slaves and the barns for the livestock. The slave quarters were surrounded by garden plots wherein the Negroes raised their own vegetables. Sometimes, too, there was a pig pen and a chicken house belonging to the

slave, who was thereby less tempted to seek for the delicacies of fried chicken and "poke chops" among the master's possessions.

The management of such a plantation fell to the master and his family if their resources were small. If the master owned more than one plantation, an overseer on each directed the work of the slaves. In a few cases where one man owned many plantations, a steward directed the work of the overseers. From the planter the overseers usually received detailed instructions in the management of the slaves. The first consideration of the owner was generally for the well-being of his chattels. The overseers, however, commonly received a share of the crop for their services, and were more concerned in driving the slaves to produce a bumper crop than in preserving the health of the property in which they had no pecuniary investment. Overseers made daily, weekly, or monthly reports to the masters, but the owners frequently had difficulties to settle between overseer and slave, and the hardest part of the planter's responsibility was to find a good overseer. In general, the sons of the small planters made the best overseers, while those who came from the poorer whites had difficulty in maintaining discipline among the Negroes.

Under the overseers were drivers or gang bosses recruited from the ranks of the more able or influential slaves. Frequently these Negroes had the power to punish their fellows and were exempt from work. The system was seldom satisfactory, and the drivers were almost as fertile a source of anxiety to the masters as were the overseers. Occasionally, a master tried the experiment of a Negro overseer, but slaves of sufficient tact, energy, and personality to undertake such duties were rare.

The system of work upon the plantations varied widely. In general, however, either the "gang" system or the "task" system prevailed. In the former the slaves were herded into the fields with drivers to keep them at their duties; in the latter each slave received a daily "stint" to perform, after which he was free to follow his own desires. Neither system was especially efficient; in each the work fell far below that of the free laborer in Northern factories or on Northern farms. In the final analysis the Negroes set the standard of work: the "stints" could not be too difficult, for some free time had to be allowed as a reward, while the gangs were held back by the slowest member. The urge to work was lacking, and the coercion of the seldom used whip was less potent than was the threat of dismissal in Northern industry. The capital investment in the Negroes restrained masters and overseers from punishments which would injure the slave as a worker. Frequently, they threatened to sell the recalcitrant or lazy Negro to some other master or "down the ribber" to some mystic land of harsh treatment. Thus tobacco slaves were told of the bad conditions in the cotton fields, and in the cotton region the threat of sale to the sugar plantations sometimes inspired the slave to spasmodic bursts of energy. The slave, too, was taught that the Yankee was a "debbil wit horns," largely to inhibit any latent desire to seek freedom along the Underground Railroad. The ignorant credulity of the slave was as potent a factor as the overseer's whip in maintaining discipline and productivity on the plantation. It is not surprising that the Southern States forbade teaching Negroes to read.

Plantations of large size, however, were the exception in the South. Of the total population of 8,000,000 whites

in 1860, there were 2,700 planters with more than 100 slaves each, and fewer than 200,000 had between 10 and 100 Negroes each. Almost 80,000 whites had but one slave, and 300,000 owned between one and ten slaves each. Almost three-fourths of the Southern white population was without slaves and without any immediate economic interest in the maintenance of legal slavery or the plantation system of production. Despite this, the ideal of the plantation dominated Southern society, and the planter, through his ownership of wealth, his control of local county government, and the fact that legislators and congressmen were dependent upon him, dominated the economic, political, and social life of the section.

Below the planter aristocrat in the social scale were the lesser planters, the middle-class merchants, and the professional men. More numerous than the planters and giving a larger portion of their time and acres to general farming, these groups were less dependent upon the great staples for their support. In social outlook, however, they were dominated by the ideals of the plantation. Their ambition was to become the masters of many slaves and of many acres, and they voted and thought as did their richer neighbors. Success in business or in the professions was signalized by the purchase of a plantation and the establishment of a manorial estate. More articulate than the great planters, most of the defenders and exponents of the Southern way of life came from this group.

Third place in the stratified society of the South was held by the yeoman farmers and the skilled mechanics and smaller tradesmen of the towns. One of the wealthier of this group might own a slave, at whose side he worked in the field, but the majority were too poor to afford such a luxury. In general the yeomanry of the South resembled

the pioneering small farmers who filled up the States of the Northwest. Devoted to democracy, they applauded the doctrines of Thomas Jefferson and voted for Andrew Jackson. They made up the membership of the democratic Methodist, Baptist, and Presbyterian Churches and scorned the alleged irreligion of the Episcopalian planters. Most of the cotton and tobacco and nearly all of the corn, wheat, and oats produced in the South came from the farms of the yeomen, who were, in the last analysis, the backbone of Southern society. Their votes determined in the end the attitude of the State and national legislators; and that they supported, for the most part, the planters' ideas, was a tribute largely to the ability of the politicians to present the planters' cause in such terms that it appeared to serve the yeomen's interests. The more ambitious of them, of course, expected to become planters; but in general they were content to till their fields with no especial desire to rise in the social scale and certainly with little thought of overturning the existing economic system.

Perhaps no factor was more potent in keeping these three classes united in support of the Southern cause than the ease by which a man might rise from the yeomanry to the ranks of the aristocracy. Essentially, the planter aristocracy was a democratic caste, and anyone who had sufficient cotton and slaves could be received into the homes and admitted to the social life of the planters. In addition to wealth, good manners were the most distinguishing characteristics of the planter aristocrats. The artificial manners of polite society were easy to acquire, at least by the second generation. The rise of the family of Jefferson Davis illustrates the course by which, especially in the newer regions of the Southwest, a man might rise into the

highest ranks. Jefferson Davis's father, Sam Davis, was definitely of the yeoman class in the Kentucky home where Jefferson was born. Joseph Davis, Jefferson's older brother, settled in Mississippi and became the owner of a plantation, where he established his family upon a higher scale. When Jefferson had resigned from the army, Joseph set him up as a planter on an adjoining plantation. The two brothers grew in wealth and devoted their leisure to study and to the cultivation of their minds. When Varina Howell, daughter of a neighboring Whig planter and later Jefferson Davis's second wife, visited the Davis brothers, she was surprised to find that they were gentlemen although both Democrats and Baptists. Although circumstances prevented Jefferson Davis from becoming a Whig as he climbed the social ladder, he did join the Episcopal Church during the Civil War. In the Tidewater regions of Virginia and in Charleston, the aristocracy was more rigid in its entrance requirements; but in the newer regions of the South the aristocracy was paradoxically democratic, although in the decade before the Civil War there was a noticeable tendency to close the ranks of the highest class.

Not all of the Southern whites can be classed in these three groups. Below the yeoman farmer and separated from him by a great gap were the poor whites of the low country and the mountain whites of the Appalachian Highlands. Descendants, presumably, of the worst class of colonial industrial servants, these people eked out a miserable existence upon the poorest submarginal lands of the South. Fishing and hunting supplemented their food supply; but malaria, scurvy, and hookworm kept their physical vitality at a low ebb and deprived them of ambition. Frequently degenerate, they were sometimes

irreligious and immoral, drinking poor whiskey of their own manufacture or chewing tobacco, snuff, or even resin and clay. Their white neighbors despised them and called them "clay eaters," "red necks," "wool hats," or "hill billies"; while they in turn regarded the Negroes with an enmity which they did not dare show their superiors. On the whole, they were, in the words of Fanny Kemble, "the most degraded race of human beings claiming an Anglo-Saxon origin that can be found on the face of the earth."

Occupying a lower rung in the social ladder were the free Negroes. With only the rarest exception, these people were the descendants of slaves who had been freed through humanitarian zeal or as a result of some meritorious effort. Planters ofttimes gave their more energetic servants the opportunity to accumulate property and to purchase their freedom. Others freed their slaves by wills, while the number of free Negro women in Charleston and Louisiana bears testimony to a somewhat different origin. Presumably those servants who stood closest to the white owners were mostly likely to obtain their freedom as the result of benevolence or sentiment, yet the implication that the free Negroes were the best of their race is seemingly belied by the lowly position which they occupied.

In 1860 there were more than a quarter of a million free Negroes in the South, with almost 200,000 of them in the States of Maryland, Virginia, and North Carolina. Within their ranks there were great variations in social, economic, and cultural achievements. There were Negroes who were slaveholders of such extent that they ranked with the middle-class planters. One free Negro, at least, held a pew in Charleston's most aristocratic church. Many others were slaveholders comparable to the upper

ranges of the yeoman farmers. Ofttimes they owned but the members of their families, although frequently they possessed slaves whom they worked as did their white neighbors. In the cities and towns they were artisans, frequently being carpenters or cabinet makers. In their ranks were school-teachers who taught the children of the whites and preachers of piety and zeal who ministered to their fellows in slavery with the full approval of the lords of the manors. They had established huge churches in Washington and New Orleans. The total value of property of free Negroes at this time was \$25,000,000.

But the great majority of the free Negroes were the degraded and often degenerate victims of a society which found no place for them. Essentially, the free Negroes were dangerous to the planter aristocracy which dominated the South. They were distrusted by the masters, who would not hire them for agricultural work lest they should corrupt the slaves. Moreover, they were outside the plantation system and, therefore, not amenable to the discipline of the master and his overseer. Deprived by the plantation system of economic opportunity, they drifted into petty crimes and vice in order to maintain existence. In lieu of the discipline of the plantation, they were subjected to the discipline of the law. Most States required the free Negroes to register with the county courts and to carry certificates of freedom. In some States they wore badges bearing their names and registration number. Licenses were required for peddling, and certain forms of employment were denied to them. The great majority of the inmates of Southern jails and penitentiaries came from this class. Their legal status differed little from that of the slave. Although they were free and entitled to hold property, they were limited in the



protection afforded by the courts. Sometimes they were kidnapped and sold into slavery; occasionally, in desperation, a freeman voluntarily surrendered his liberty; more frequently the courts remanded a free Negro to slavery as a punishment for crime.

At the bottom of the Southern social scale were the slaves. In 1860 there were 3,838,765 of them, owned by approximately 400,000 masters. Among them there were definite grades, based upon racial origin and individual character and intelligence. Ranging from the blackest "Guinea nigger" to the descendants of the more highly cultured tribes of Africa and those with a more generous sprinkling of white blood, the Negroes were by no means a racial unit. Although the system by which they were brought from Africa seemed to select the least intelligent and the strongest physiques, opportunity was offered to the better individuals to prove their merit within the bounds of the plantation system. The highest places in the ranks of labor were those of the house servants and personal attendants of the master and his family. The coachman, the butler, and the body servant or valet were the aristocrats of the slave cabins. The masses of the slaves, however, were field hands, working at the direction of the overseer.

Aside from their labors, the Negro slaves had a life of their own. Deprived by law from contracting marriage and by the plantation system from the responsibilities of a home, family ties rested lightly upon them. Hilarious revelry made possible a mental escape from the rigors of plantation labor. The camp meeting and the revival offered more acceptable escapes and were frequently the occasion for remarkable outbursts of religious enthusiasm. The plaintive music of the spiritual was heard both at

religious meetings and in the cabins, and constitutes the Negro's greatest contribution to culture and America's greatest contribution to musical art. In the beginning, slaves were allowed their own preachers and meetings; but as the control over the slave became more rigorous, these were forbidden, and the slave attended his master's church. There, seated in the gallery, he was likely to hear a pastoral exhortation from the text "Servants, obey your masters."

The religion of the slave played a part in the control which the master exercised. More potent were other methods of control. Kindness played a part in the master's technique, and was exercised more often than punishment. The advantage of the plantation system was the disciplined control which the master was able to exercise over his bondmen. A patriarchal benevolence and a strict justice combined to keep the laboring class reasonably contented with their lot. For petty offenses the whip or some milder form of punishment kept the slave in the path of right conduct and prevented the overcrowding of jails and expenses to the taxpayer. The law, however, came to the aid of the master in more serious matters. Designed primarily to protect the master's property rights in his slave and secondarily to protect society from insurrection, the law forbade Negroes to wander from their homes or to bear arms. Theft, arson, assault, rape, and conspiracy were punished with the greatest severity. The roads of many Southern States were regularly patrolled by the planters in order to apprehend runaways and to prevent gatherings which might lead to revolutions. Lynching occasionally punished the Negroes' more heinous crimes against society.

In comparison with the wage laborer in a Northern

factory, the slave was well off. He was cared for in sickness, in childhood, and in old age. Yet he had grievances. Always regarded with suspicion and frequently punished for crimes that he did not commit, he was also powerless to resist the brutality of a cruel master or a bestial overseer. From such treatment there was relief only in flight. Runaways were frequent, although their numbers have been exaggerated by polemical writers of both South and North. All too frequently the fugitive slave was a fugitive from labor rather than from mistreatment, and returned to his master's plantation when the cotton-picking season was over. The Underground Railroad was most active in the summer months.

Socially considered, there were serious defects in the plantation system and in chattel slavery. According to abolitionists, the holding of men in bondage brutalized the masters. While this conclusion is not obvious, the system did create a gap in society which had a tendency to make the whites less receptive to the precepts of democracy. The most serious defect of the system, however, was its failure to educate the Negro in anything beyond the merest rudiments of agriculture. When freedom came, the Negro was totally unprepared for its responsibilities.

## 2. SOUTHERN ECONOMICS

Throughout the South, whatever the social status of the individual, the people were primarily concerned with the production of the staple crops of rice, cotton, sugar cane, and tobacco. From these crops sprang the social and economic organization of the section.

The culture of tobacco was perfected in the colonial period and varied little throughout the decades before the

Civil War. Because of the constant and somewhat skilled care necessary to produce the crop, the tobacco regions never developed the plantation system. An acre of tobacco required the full-time labor of one worker, and the gang system so much in vogue in the cotton and cane fields could not be efficiently used. The small farm with a few slaves was the most economical unit in tobacco culture.

At the close of the colonial period, tobacco was the most valuable of the Southern crops. However, this supremacy was challenged after the turn of the century by the rising cotton culture; and the War of 1812, with its disastrous effects on American commerce, cost the South its markets, and Europeans drew their supplies from Cuba and Latin America. Until 1840 the area of tobacco cultivation and the usual size of the crop did not increase beyond that at the beginning of the century. New methods of curing tobacco and the introduction of the lemon-colored leaf in 1852 aided the tobacco planters to regain some of their markets. From 1850 to 1860 tobacco production increased 115 per cent. In the latter year the crop was 434,000,000 pounds.

Tobacco production was limited to the regions where the growing season was short. Maryland, Virginia, Kentucky, and parts of North Carolina and east Tennessee possessed a climate favorable to tobacco but unsuitable for cotton. Like tobacco, rice was limited by geographical conditions to the swamp lands of the Carolinas and Georgia, although after the Civil War rice planters opened up new areas in Louisiana and Arkansas. Before the end of the colonial period, artificial irrigation began in the rice fields, and the first half of the nineteenth century saw a number of improvements, notably the introduction of the "golden seed." Limited

in area and subjected to abnormal hazards of malaria, storms, and hurricanes, rice culture was in a decline by the close of the period. As in the case of tobacco, the nature of the crop determined the unit of production. As tobacco was not profitable on large-scale production, rice was not profitable on a small scale. Many slaves were necessary to produce rice, and large units were the most efficient. Sugar cane resembled rice in its requirement of large investments and many laborers, and climatic considerations limited sugar production to a small, semi-tropical area along the Gulf Coast. Most complicated of the Southern crops, sugar demanded both an agricultural and a manufacturing technique. Cane fields were planted with stalks which, covered with soil, sprouted at the joints. Constant cultivation was necessary until the threat of frost ended this phase of the operations. The cane was then cut, stripped of its leaves, and carried to a mill, where the succulent juice was pressed out. Boiling was then necessary to reduce the juice to crude sugar or the far-famed New Orleans molasses. The investment in land, slaves, and machinery for sugar production was so large that small units could not exist.

In contrast with tobacco, rice, and sugar cane, cotton production was practically unlimited in the warm lands of the South. Profitable on any scale of production, cotton growing required a minimum of expert care. In spring the seed was sown in rows, and the plants were thinned when they began to grow. Throughout the long, dry summer months, from North Carolina to the Texas plains gangs of Negroes hoed the growing crops. Late in August or September, the fleecy bolls began to burst, and the slaves went into the fields to pick the cotton. The

number of acres which any planter could produce was limited by the number of Negroes whom he could muster for picking. Picking machines were never developed, largely because the bolls did not all ripen at the same time. Ginning and pressing the cotton into bales completed the process.

The baled cotton was taken, invariably down the most convenient rivers, to the markets at Charleston, Savannah, Mobile, or New Orleans. There it was stored to await shipment to the mills of old or New England. At this stage in production, if not before, the cotton passed out of the hands of the planter and into those of the commission merchant. Small farmers in the Southern upcountry, who could not afford to hold onto their cotton, or who had no means of getting their crop to the ports, sold their crop, usually before it was harvested, to local merchants or to larger planters. But even the local merchant consigned his cotton to the commission merchant, who customarily charged two and one-half per cent commission for his services. Upon his account with this factor the planter might draw drafts. Frequently he overdrew his account, and the factor became his banker, receiving from 8 to 12 per cent interest for the advances which he made. In this manner the planter was kept in debt to the factor in much the same fashion that the pre-Revolutionary Virginia planter had been indebted to the English commission house. The price of cotton, all too frequently, was set by the commission merchant. Small wonder that the cotton planter regarded commerce and banking with suspicion and, in words that smacked of Thomas Jefferson, asserted the moral superiority of agricultural production.

In addition to the staples, the South produced large

amounts of other crops. The ideal of the plantation system was that the plantation should be a self-sufficing economic unit. Most plantations made a conscientious effort to produce the foodstuffs needed by master and slaves. Both planters and slaves kept gardens, and the smaller farmers devoted but a minor portion of their time to the staple crops. The South produced half the corn crop of the Nation in 1850, while wheat, oats, barley, and rye contributed large amounts to the Southerners' accounts. Fruits and vegetables, mostly apples and sweet potatoes, were commonly raised, while in Virginia and North Carolina peanuts were an important crop. In central Kentucky hemp rivalled tobacco as a market crop, while stock production began in the Blue Grass region. In the mountains of Virginia, Kentucky, North Carolina, and Tennessee, hogs and mules were raised for the ready market in the plantation areas. East Tennessee, in fact, became known as the "hog and hominy" section of the South. In corn and pork the *per capita* production of the South far exceeded that of the North, but the demand for these staples of the slave's menu was so great that the South annually imported much that it used. On the whole, in these crops the poorer lands of the South were unable to compete successfully with the fertile fields of the West.

The system of labor and the nature of the crops produced in the South inevitably led to an exhaustion of the soil. With land cheap and labor comparatively dear, the Southerner invested in slaves and ignored the care of his land. The same crops were planted year after year and the planters abandoned the depleted sections to the poor whites while they took their slaves to the fresh soils of the Southwest. For this reason the population of the

Tidewater and the Piedmont sections declined both in numbers and in quality. The leadership which had once been found in Virginia passed to Mississippi, Alabama, and Georgia, and the lands which had once grown rice and tobacco were given over to scrub pines and the miserable clearings of the poor whites.

Realizing the evil effects of this tendency, the more intelligent planters urged a reform in the system. In Virginia Edmund Ruffin and John Taylor, in South Carolina James H. Hammond, and in Georgia Dr. M. W. Philips joined with the far-sighted in other States in urging agricultural reform. Ruffin became the exponent of the use of lime as a fertilizer, and devoted the pages of his *Farmer's Register* to teaching the lessons of scientific farming. Others urged improvement in the breeds of cattle, while improvements in the strains of cotton attracted widespread attention. Thanks to Ruffin's work, agricultural societies were founded in several States and the general newspapers gave increasing attention to the necessity for soil improvement. The total effect was negligible, but Maryland and Virginia witnessed a revival of agriculture, and truck farming developed in the region around Norfolk. For the most part, however, the Southerner showed the same conservatism about adopting new agricultural methods that he showed in other aspects of social and political life.

A movement for the introduction of industry in the South paralleled the movement for agricultural reform. Conscious of their inferiority to the North, and showing a growing tendency to resent their economic dependence on the North, Southerners talked much of the development of Southern factories. Such a movement had had a flare-up in the period of the War of 1812 and accounted



in part for Calhoun's support of the tariff of 1816. But cotton had absorbed the energies of the Southerners, and within a decade they were opposing tariffs even to the point of nullification. The idea that the South might become industrialized had never been abandoned, however. William Gregg, of Charleston, visited Northern industrial centers and returned to the South to establish a factory at Graniteville in which he employed the neighboring poor whites. Before 1860 Georgia and Alabama had cotton mills, Richmond had flour mills, and rudimentary iron works dotted the Appalachian Highlands. Profits on some of the mills were enormous, and yet the conservatism of the Southerners prevented any rapid shift of capital into manufacturing. Resentment at the dependence of the South upon Northern industry and upon Northern credit facilities stimulated interest in agricultural reform and manufacturing. Northern ships carried the products of Southern farms to Northern mills, and Northern merchants sold the finished goods back to the South. Thomas P. Kettell in his *Southern Wealth and Northern Profits* showed with an array of impressive, if inaccurate, figures that the North took out of the South an annual profit of \$232,500,000, and Southern journalists and politicians used his account to secure sectional unity against the Northern States. Robert Barnwell Rhett proclaimed, "The South is . . . the very best colony to the North any people ever possessed."

In order to free the section from its economic bondage, Southern extremists proposed that the people should boycott Northern goods, and that the States should impose a heavy tax on Northern products in Southern markets. Half the New England population, said the Governor of Alabama in 1856, would be paupers if the

South stopped its trade. Southern commercial conventions, meeting frequently during the forties and fifties, sponsored proposals for Southern economic independence. One such proposal would have established Southern steamship lines for direct trade with Europe. Forty million dollars, estimated Thomas P. Kettell, was paid in annual tribute to Northern shippers. Before the Civil War, a few lines of sailing packets were established between Southern and European ports, but Northern steamship lines developed rapidly and continued to carry the Southern crops to market.

A second plan of those who would have broken Southern dependence on the North was for a system of Southern railroads which would link the coast with the cotton lands of the interior and even stretch westward to tap the wealth of the new territories acquired by the Mexican War. The achievements in railroad building far surpassed those of shipbuilding, even though at the end of the period the North's railroad mileage was much greater. A railroad line running from Richmond to Chattanooga and connecting there with lines which tapped South Carolina on the one side and Tennessee on the other was the most important single system. The Mobile and Ohio Railroad, joining the Gulf Coast and the Middle West at Chicago, paralleled the Mississippi River; and an east-and-west-line from Vicksburg to Montgomery combined with smaller lines to give the South over 10,000 miles of railroad in 1860. But uppermost in the minds of the Southerners was the hope of an all-Southern trans-continental railroad—a dream which had far-reaching significance in the politics of the fifties.

After 1852 the Southern commercial conventions which sponsored these movements for sectional independence

met annually and mingled political debate with glowing plans for economic renaissance. Politicians came into the meetings of these businessmen, planters, and journalists to urge a united Southern front against Northern political aggression, and orators of provincialism proclaimed the necessity of cultural and commercial unity. As time went on, the commercial conventions lost their commercial character and became annual forums for the expression of the more extreme fire-eating opinions. In this final stage of the commercial conventions a movement was launched for the reopening of the African slave trade.

Looming large in abolitionist writings and attracting the attention of publicists, both before and since the Civil War, the domestic slave trade has been accorded a greater importance than it actually bore in Southern economics. The closing of the African slave trade in 1808 increased the importance of the interstate trade in laborers. Throughout the period from the close of the African trade until the Civil War, there was considerable smuggling, and the number of Negroes illegally imported into the country has been estimated at as high as 270,000. But the labor needs of the expanding cotton and sugar fields were supplied from the border slave States. As Maryland and Virginia soil deteriorated, the planters of the Tidewater and the farmers of the Piedmont turned to breeding slaves for the Southern market. Established companies carried on the business of slave trading and maintained their own auction houses, slave pens, and coastwise sailing vessels. Individuals, too, went into business as slave traders and drove gangs of Negroes purchased in the upper South into the cotton regions. Some dealers gave the impression of being planters,

bringing in gangs of slaves to work temporarily on their plantations while they awaited prospective buyers. Virginia exported 10,000 slaves annually in the interstate traffic. The total annual turnover of slaves was possibly as great as 70,000. Masters sold their slaves who were the least amenable to discipline, the lazy or the rebellious being the first to go. Dealers, of course, preferred healthy chattels of meek demeanor. Mulatto men, being most likely to resent their lot, were less valuable than pure-blooded Africans, although mulatto women brought higher prices than their darker-skinned sisters. The prices of Negroes varied directly in proportion to the price of cotton. When cotton brought high prices, slaves were much in demand; when cotton declined, slaves found a less ready market and masters culled the least desirable from their gangs. In 1837, cotton sold for 13c, and field hands fresh from Virginia brought as much as \$1,100. In 1845, cotton was selling for five cents a pound and slaves for \$500. After the Walker Tariff, the rise in prices and the general prosperity of the country caused a rapid increase in slave prices, and as late as 1859 field hands sold at \$1,600 and \$1,700.

Despite the fact that the slave trade was essential to the economic life of the South, the slave trader suffered a social ostracism which ill fitted his importance in the Southern scheme. The poor character of the men engaged in this business was both a cause and a result of the social disapprobation with which they were regarded. One Alabamian described the slave trader as "a coarse, ill-bred person, provincial in speech and manner, with a cross-looking phiz, a whiskey-tinctured nose, cold, hard-looking eyes, a dirty, tobacco-stained mouth, and shabby dress." Although he separated families, he suffered no

pangs of conscience, declared this writer. Perhaps part, at least, of the condemnation of the slave dealer was due to the fact that he was a convenient scapegoat upon which society imposed its own horror at the ugliest feature of the Southern system.

The high prices of slaves had ill effects upon the Southern social system. No factor was more important in keeping the South a unit than the opportunity which was afforded by cheap lands and available laborers for each overseer and yeoman farmer to enter the ranks of the planter aristocrats. The rise of slave prices and the exclusion of the slaveholders' property from the territories reacted to produce a stratified and static society. Realizing that slaves must be within the reach of all, the Southern commercial conventions and the more rabid fire eaters proposed reopening the foreign slave trade. Such a development would bring new lands into cultivation, obtain the support of the yeoman farmers, and by increasing the number of slaves aid in preventing the poor whites from an attempt to overthrow the aristocratic regime. Just on the verge of the Civil War William L. Yancey and J. D. B. DeBow, fire eater and economist, respectively, formed the African Labor Supply Association to agitate for reopening the trade. The movement received the unqualified endorsement of the Vicksburg meeting of the Southern Commercial Convention.

### 3. CULTURAL LIFE IN THE SOUTH

Not only in Southern politics and economics, but in every phase of Southern life, the interests of the plantation system and the planter aristocracy were predominant. In religion, education, and literature the South was as

much subjected to the ideas of the ruling classes as it was in government.

The religious development of the United States before the Civil War reflected the changes in society. In the North there was a breaking down of the religious rigors of Puritanism, and a rise of movements such as Unitarianism, which destroyed the hold of the traditional Calvinist philosophy on the minds of the people. In the fifties the slow acceptance of the Darwinian theory precipitated a conflict between fundamentalists and modernists. In the South, on the other hand, the tendencies in religion were in the opposite direction. Instead of keeping pace with the advancing ecclesiastical liberalism which characterized the Northern democracy, the South became a land of religious conservatism. Deists like Washington and Jefferson disappeared from the South, their places being taken by those who would interpret the Word in support of the Southern system.

In the early national period, the frontier churches—Methodist, Baptist, and Presbyterian—reflecting the economic outlook of their communicants, showed no hesitancy in denouncing slavery. Methodist conferences in the frontier regions forbade their ministers to hold slaves, and Presbyterian evangelists condemned the institution. Nevertheless, a profound change was wrought in the attitudes of these bodies as their membership became more wealthy and rose into the ranks of the slaveholders. The churches themselves ceased to oppose slavery while the members, passing into the aristocracy, carried their Calvinist principles with them. In Virginia the Presbyterians made an assault on an atheistic professor in the University of Virginia—Jefferson's shrine to freedom of thought—and forced his resignation. In

South Carolina outraged fundamentalists forced President Cooper to resign the headship of the State University because he questioned the inspiration of the Pentateuch.

As the members became more wealthy and even clergymen became slaveholders, the churches contributed theological chapters to the proslavery argument. Pulpits became forums for expounding the Biblical argument in favor of the peculiar institution. The divergence between the liberal-democratic churches of the North and the conservative-aristocratic churches of the South split Methodist and Baptist denominations, and strained relations existed between Northern and Southern brethren in the other popular communions.

The evangelical churches in the South shared one phenomenon with their Northern coreligionists: in both the emotional revival remained an annual event. In the summer, too, the camp meeting, remarkable for its frenzied excesses, had universal popularity. These emotional rites drew the white population of the South into the churches, where ministers, themselves thoroughly identified with the prevailing social order, howled down abolitionists as agents of the devil and praised slavery as a divine institution.

Less potent than the churches but equally significant of the prevailing order was Southern education. The district school, which had been established in the Southern colonies, continued a fitful existence in the more populous regions of the Border States but could hardly be accounted an important factor in education. Elementary instruction for planters' children was afforded by tutors on the larger plantations. For the poorer classes of the rural regions educational opportunities were almost completely lacking. Schools for the poor existed in the

towns, but the stigma of charity was attached to them, and few attended. With the beginning of the movement for free public schools in the North, there were faint flickerings of interest in the South. William L. Yancey made a futile effort in Alabama to follow Horace Mann's Massachusetts example. Maryland established a State superintendent of schools in 1826 but abolished the office in 1828. In Louisiana and Tennessee the supervision of schools was a function of the secretary of state. In 1850 the Southern States had 29,041 schools with 21,353 teachers and 583,292 pupils, and were spending \$2,734,000 for education. This was a poor showing as compared with the North's 62,450 schools, 70,647 teachers, 2,777,381 pupils, and \$6,857,527 annual budget. Yet it is likely that illiteracy among Southern whites was but little higher than that in the North.

In secondary education the period of the forties and fifties witnessed the beginning of the high-school movement. The South, however, showed a preference for the older, academy types of secondary instruction. These academies were private institutions which occasionally received some type of local public support. In curricula they offered not only a practical training in such subjects as mathematics and surveying, but also served to impart the rudiments of Latin and Greek in preparing students for colleges. Tennessee granted subsidies for the establishment of an academy in every county, and in other States local subscriptions or occasional taxes supplemented the tuition charges.

In higher education the South compared more favorably with the North. Following upon the establishment of the University of Virginia by Thomas Jefferson in 1825 other States established State universities. Most



important were the colleges supported by the various religious denominations. In 1850 there were 120 colleges and universities in the South with 722 professors and over 12,000 students. In addition, many Southern youths went to Northern schools. In the North there were 111 colleges, with 879 professors and over 15,000 students. The proportion was in favor of the South, yet the Southern schools had lower standards and rigidly limited thought on social and economic problems. Joseph Le Conte and Francis Lieber taught at South Carolina College; Josiah C. Nott, a brilliant ethnologist, at the University of Alabama; and James Warden, at Oglethorpe University. But the Southerners suspected men of science, and the better scholars sought other academic locations.

In the fifties, when the Southern nationalists were urging self-sufficiency, they made efforts to employ Southern teachers in the colleges and to use textbooks published in the South. The movement resulted in increasing the attendance at Southern institutions and in the establishment of professorships of commerce and of agriculture in a number of colleges. It culminated in an ambitious scheme, just at the outbreak of the Civil War, to establish at Sewanee, Tennessee, the "University of the South" under the auspices of the Episcopal Church.

In less formal fields of education the Southerner was circumscribed by the peculiar conditions attendant upon the Southern system. The South had but 24 of the 345 publishing houses in the country, and the products of their presses was seldom of a high order of literary merit. In 1850 the South published 721 periodicals of all kinds, religious, agricultural, scientific, and political. The planters gave little support to literary publications and

few survived. The *Southern Literary Messenger* was remarkable for both its intrinsic excellence and its ability to survive the neglect which was accorded it. Southern newspapers, on the other hand, ranked with the best in the country. Political journals of the most intense partisanship were potent forces in promoting Southern unity. Such papers as the *United States Telegraph*, edited in Washington by Calhoun's ardent supporter, Duff Green; the *Richmond Whig and Enquirer*; the *Charleston Mercury*, edited by Robert Barnwell Rhett; the *Columbus (Georgia) Enquirer*; the *Mobile Advertiser* and the *Register*; the *Bee* and the *Picayune* of New Orleans; the *Louisville Journal*; the *Nashville Republican Banner*; and "Parson" Brownlow's *Knoxville Whig* were journals of great importance. However much they might differ as to methods, they were united in their expressions of devotion to the South and the Southern way of life.

The Southerner's preoccupation with defenses of his peculiar social and economic order was reflected in his own reading and writing. The educated planter found in a study of the classics an intellectual justification for the slave system. A study of ancient history taught him that the brilliant society of Athens and the power of Rome had been based upon human slavery. In addition the literate Southerner read the romantic historical novels of Sir Walter Scott, seeing in the Southern system a modern counterpart of the idealized feudal society of the Middle Ages. So far-reaching was the influence of Scott that the tournament became a regular feature of public gatherings in the South, and the more ardent enthusiasts proclaimed themselves the modern representatives of the knightly ideal of chivalry. Such writers as Dickens, who painted the horrors of the contemporary scene, found

no place in the planter's library. When he read of modern subjects, the Southerner's tastes were likely to run to constitutional law and elaborations of the doctrines of States' rights. His reading served but to impress upon his mind the essential propriety of the Southern ideal.

Although the South supported its writers but poorly, there were a number of men whose gifts in poetry and prose equalled or surpassed the more publicized writers whom the North produced. Conservative in their outlook, the Southerners saw little genius in such Northern writers as Walt Whitman, who sang the praises of industrialism or advanced the Yankee ideals of material progress. In contrast with the Northerners who were groping toward a rising school of realism, the Southern writers clung to romanticism. The poetry produced in the South seldom struck the chords of progress or rose above amateurish sentimentality. Nevertheless, there were poets of merit in the Southland.

One such genius was William Gilmore Simms, whose career as a versifier covered the whole period of the sectional controversy. A Charlestonian without being a member of the highest circles of that aristocratic city, Simms sang the songs of a people proud of their exclusiveness. Although he complained that "the South don't care a damn for Literature or Art," he persevered in writing for Southern audiences. By the time of the Civil War he had produced over 100 volumes of poetry and prose. Yet social recognition came to him only after he had married into one of the wealthier Charleston families. Thereafter his writings were defenses of slavery and the plantation system. His *Yemassee* dealt with colonial South Carolina and glorified its early citizens. His *The Partisan* was a stirring tale of South

Carolina heroism during the Revolution. He served in the legislature, became an orator of distinction, and constituted himself a major prophet of Southern culture. His influence was felt throughout the Nation, and he stimulated such younger writers as Henry Timrod and Paul Hamilton Hayne with his own spirit of provincial patriotism.

Henry Timrod, whose genius has been recognized in later years, ranks today with Poe and Lanier as one of the Nation's greatest poets. At the full height of his powers when the Civil War came, he devoted his art to producing ringing martial poems. *Carolina*, *The Cotton Boll*, and *Charleston* breathed fiery poetic hatred of the Yankees, while his *Ode to the Confederate Dead*, written for dedication of Charleston's Magnolia Cemetery in 1867, is one of the most beautiful poems in the English language:

Sleep sweetly in your humble graves,  
Sleep, martyrs of a fallen cause;  
Though yet no marble column craves  
The pilgrim here to pause.

Stoop, Angels, hither from the skies!  
There is no holier spot of ground  
Than where defeated valor lies,  
By mourning beauty crowned!

Paul Hayne, like Timrod and Simms a Charlestonian, was like them in his admiration for the Southern way of life. Praise of the South characterized his poetry, although in *Russell's Magazine*, which he edited from 1857 to the eve of the war, he was extremely critical of the South's lack of appreciation of letters and its ignorance of literature.

Less concerned with the Southern scene in his writings, yet surpassing his contemporaries in romanticism, was Edgar Allan Poe. His poetry and prose were remote from the Southern scene, yet in harmony with the Southern writers, he strove for pure and melodic beauty. As a literary critic he penetrated the hollowness of the North's much praised Henry Wadsworth Longfellow. His interest in reading casts much light upon the mystic qualities of his poetry. Tales of far-off adventure, especially in the South Seas, fascinated him and furnished him an escape from the sordid reality of Northern industrialism. His Southern contemporaries, reacting against the same condition, found escape in defenses of the Southern scheme: Poe found it in the realm of pure fantasy. Spiritually *The Raven*, *Israfel*, *To One in Paradise*, and even his short stories are but refinements of the general Southern attitude toward the crushing effects of Northern life.

Minor poets such as Edward Coote Pinkney, Richard Henry Wilde, and William J. Grayson displayed the same tendency toward a conservative defense of the South. Their combined efforts, together with that of a host of inconspicuous versifiers, never availed to make the South more appreciative of their worth. The cultural unity of Southerners might well have strengthened the bonds which the political and economic system were welding, but there were few to follow the lead of Simms in advocating the support of an indigenous Southern literature.

Prose writers received somewhat more acclaim in the South than the poets. John Pendleton Kennedy, of Maryland despite his own identification with Northern industrialism, was fascinated by the plantation as it existed in Maryland and Virginia. His *Swallow Barn*,

essentially a novel concerning the good manners of the "best" society and with no mention of the problem of slavery, was received by the Southerners themselves with an acclaim never accorded the South's greater writers. The side of Southern life opposite to that pictured by Kennedy was shown in the writings of A. B. Longstreet and J. G. Baldwin. Longstreet's *Georgia Scenes* seldom dealt with the handful of planters in Georgia, but portrayed the crudity and humor of the yeomen farmers and the Georgia "crackers." Baldwin's *Flush Times in Mississippi and Alabama* showed with equal humor the shyster lawyers, card sharps, gamblers, and riffraff of the South. Forerunners of Mark Twain in perceiving the humor and pathos of life among the lowly, these writers balanced the picture which Kennedy and Simms painted. The South, after all, was a land of yeomen farmers, of Negroes and of poor whites; the aristocracy who dominated the section were but a small portion of the Southern people.

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## CHAPTER XIII

### THE COMPROMISE OF 1850

#### 1. THE MOVEMENT FOR SOUTHERN UNITY

**B**EFORE Taylor came into office to face the problems of a rapidly dividing nation, the Southerners had begun to strike a new note in the constitutional defense of slavery. The occasion came in the midst of debates over creating a territorial government for the recently acquired Oregon Territory. The joint resolution annexing Texas had provided that the Missouri Compromise line should be extended and that Texas might be divided into four or five slave States. Presumably, this re-enactment of the Missouri Compromise implied that the line of  $36^{\circ} 30'$  should be extended over all of American territory. In August, 1846, Stephen A. Douglas, Chairman of the House Committee on Territories, brought in a bill to organize Oregon Territory. The bill extended the prohibition of the Northwest Ordinance over Oregon. Although the measure twice passed the House, the Southern-controlled Senate succeeded in defeating it. In December, 1847, Polk urged Congress to take action, and some months later he sent them a special message on the subject. In the Senate, Douglas proposed extending the Missouri Compromise line to the Pacific. In the course of the debates, Calhoun perceived an opportunity to make a new pronouncement upon the Constitution and slavery.

In a series of resolutions offered in June, 1847, the Southern champion developed the theory that neither Congress nor a territorial legislature had the right to exclude slavery from a territory. Although neither Calhoun nor his supporters believed that slavery could exist in Oregon, they nevertheless asserted that the territory was the common property of the States of the Union and open to settlement by the citizens of all the States. "If the existence of the Slave as property be admitted," asked Jefferson Davis, "What power has Congress to interfere with it? . . . Entering a territory with his property, the citizen has a right to its protection." Slavery could be excluded only by the citizens of a territory when they formed a State constitution. As for the Congressional power to make rules and regulations for the possessions of the United States, Calhoun alleged that this was limited to the regulations of the public lands. As in 1837, Calhoun's theories were based upon the equality of the States and the Constitutional recognition of slave property.

In a speech supporting these resolutions, Calhoun pointed out that the free States were antagonizing the slave States. In the Senate there was momentary equality between the sections, but Iowa and Wisconsin were ready for admission, while 12 more States might be carved out of the existing territory north of the Missouri line. In the House the equality had long since been broken, and the North had 138 votes to the South's 90; while in the electoral college the figures were 168 to 118 in favor of the North. Soon there would be enough free States to give the North a two-thirds majority. But speeches and resolutions could no longer hold up the organization of Oregon. On August 14, 1848, President Polk signed the bill with the exclusion features. The

majority of the Southerners, like Polk, were unwilling to follow Calhoun and the extremists.

In signing the Oregon bill, Polk expressed his regret that Congress had taken no action on the territory acquired by the Treaty of Guadalupe Hidalgo. In July, 1848, an effort had been made in Congress to solve this problem. Senator Clayton, of Delaware, had headed a special committee which had reported in favor of organizing the territories of Oregon, California, and New Mexico. The question of slavery in the region was to be left out of consideration. Oregon's territorial legislature might deal with slavery, but New Mexico and California were to be given territorial government corresponding to the first stage of the old Northwest plan. This solution would turn slavery over to the courts, with the result that the Supreme Court, a majority of whose members were from the South, would have the final decision on the question of slavery in the territories. Alexander Hamilton Stephens, however, had no hopes of a favorable decision from the court. The court would hold that the municipal law of Mexico would remain in force in the region. Stephens also denied that the Constitution carried slavery into the Territory. The Clayton compromise bill failed of passage, and the question of slavery in the new territory went over to Taylor's administration.

Whereas the discussions of Oregon and the proposed Clayton Compromise did not result in any acceptable settlement, they enabled men to formulate their opinions on the issues at stake. At one extreme was the position taken by the Wilmot Proviso, which received its best expression in the Buffalo convention of the Free-soilers. "Slavery in the several States of this Union which recognize its existence depends upon State laws alone, which

cannot be repealed or modified by the federal government, and for which laws that government is not responsible," declared the party as it asserted its willingness to refrain from interference with slavery in the States. But upon the territories "the true and in the judgment of this Convention the only safe means of preventing the extension of slavery into all such territory now free is to prohibit its existence in all such territory by an Act of Congress. . . . We accept the issue which the slave power has forced upon us, and to their demand for more slave States and more slave territory, our calm, our final answer is no more slave States and no more slave territory. . . . We inscribe on our banners, 'Free Soil, Free Speech, Free Labor and Free Men,' and under it we will fight on, and fight ever, until a triumphant victory shall reward our exertions."

In contrast with this attitude was the extreme position taken by Calhoun that neither Congress nor a territory could exclude slavery. In Virginia the House of Delegates passed resolutions during the Mexican War denying Congressional authority over slavery and asserting that Virginia would not accept an unconstitutional law which excluded the peculiar institution. In the Democratic convention of 1848 William L. Yancey offered a resolution declaring that noninterference by Congress in the rights of property was the traditional Democratic doctrine. The votes in favor came from the Southern delegates.

In between these extreme views were the opinions of moderates. Even within the South there were many, especially among the conservative slaveholders, who were opposed to territorial expansion. Two views were expressed by moderates. One was the suggestion of

such practical politicians as Polk and Buchanan that the Missouri Compromise line be extended to the Pacific. The other suggestion was Lewis Cass's doctrine of popular sovereignty. In a letter to A. O. P. Nicholson just before the campaign of 1848, Cass declared that local institutions should be left to local governments, while the power of Congress should be "limited to the creation of proper governments for new countries, acquired or settled, and to the necessary provisions for their eventual admission into the Union, leaving, in the meantime, to the people inhabiting them, to regulate their internal concerns in their own way. They are just as capable of doing so as the people of the states, and they can do so, at any rate, as soon as their political independence is recognized by admission into the Union." In Congress, Senator Dickinson submitted a resolution that all questions of domestic policy in the territories should be left to the people when they organized a territorial government.

The election of Zachary Taylor was accomplished without any expression of opinion by the candidate or his party on the vital issues which were dividing the country. To the extremists among the Southerners there seemed little hope that the new President would take firm action in favor of the South or even veto a bill with the Wilmot Proviso attached. In the session of Congress immediately after the election, a resolution in favor of prohibiting slavery in the District of Columbia was passed by the House of Representatives. Using this as an excuse, Calhoun called a caucus of all Southern members of Congress to discuss the situation.

Into the Southern caucus came both Democrats and Whigs: the former to define the rights of the South, the

latter to prevent statements which might embarrass their incoming President. Despite Whig efforts, the caucus issued an address to the people of the United States. The address elaborated upon the difficulties which Southerners experienced in recovering fugitive slaves, protested against abolitionist agitation, and demanded protection of the slaveholder's property in the territories. Only slightly more than half of the 80 members who attended the caucus signed the address, yet the movement for Southern unity was definitely launched.

Simultaneously with the Calhoun caucus was a movement in Virginia and North Carolina to give expression to the Southern demands. In North Carolina, Whig dissidents succeeded in getting a declaration of devotion to the Union, but in Virginia the extremists were in control. The resolutions of the legislature declared that the passage of the Wilmot Proviso would leave the people of the State the alternatives of "submission to oppression and outrage" or "determined resistance at all hazards and to the last extremity." The abolition of the slave trade in the District of Columbia would be regarded as a direct assault on the institution.

Other States followed Virginia's lead. The Missouri Legislature instructed the State's representatives in Congress to vote against the Proviso. The Tennessee State Central Democratic Committee declared, "The encroachments of our Northern brethren have reached a point where forbearance on our part ceases to be a virtue."

The movement thus begun was brought to a head during the summer of 1849. In Mississippi a State convention met to consider the state of the Union, and after canvassing the situation issued an invitation to other States to send delegates to an all-Southern convention at

Nashville on June 3, 1850. The meeting would define the rights of the South and recommend united action for the section.

## 2. PRESIDENT TAYLOR

President Taylor assumed office on March 4, 1849. During the months between his election and inauguration he had remained silent on major issues. His Cabinet, however, which contained three Southerners and no representatives of the abolitionist wing of Northern Whigs, satisfied the South. Extremists among the Democrats continued to issue warnings that Congress would pass the Wilmot Proviso and that Taylor would not veto it. Confident that the inexperienced President would be under Southern influence, Southern Whigs remained unperturbed. However, during his first summer in office, Taylor lent an ear to the New York abolitionist, William H. Seward, and even Southern Whigs became alarmed when Seward began to control the patronage in his own State.

During this summer Taylor took an action which, had it been known, would have cost him his Southern support. In the preceding year, gold had been discovered in California, and an ensuing "gold rush" filled the new territory with a population of turbulent "forty-niners" who soon sorely taxed the inadequate military government. Vigilance committees of the more law-abiding citizens dealt summary justice to the worst robbers, claim jumpers, and horse thieves among them; but the situation demanded an organized government with adequate power and authority. With no hope of Congress passing a territorial act, Taylor essayed to cut the knot by secretly send-

ing agents into both California and New Mexico to promise Presidential support if the people organized a State government. The suggestion was immediately put into operation in California, and a convention assembled to draft a State constitution. Since the majority of the migrants were from the Northern States, the convention had a Northern majority and there was little difficulty in putting a prohibition of slavery into the constitution.

When Congress met in December, 1849, the sectional feeling was intense. Elections during the summer in the Southern States had revealed a deep-seated suspicion of Taylor, and a number of Southern Whigs were fearful that Taylor had fallen under Seward's influence. In the Whig caucus Robert Toombs, of Georgia, attempted to commit the party against the Wilmot Proviso; and when this failed, a group of Southerners withdrew from the caucus and refused to support the party's nominee for Speaker of the House. In the House there was an equal division between Whigs and Democrats, with a handful of Northern Free-soilers holding the balance of power. After balloting for three weeks, the recalcitrant Southern Whigs threw the speakership to Howell Cobb, a Democrat from Georgia. Cobb signalized his election by giving the important committee positions to Southerners.

When the House had organized, Taylor sent his first message, stating, with something less than complete candor, that he had reason to believe that California would soon present itself for admission as a State. He recommended that Congress take favorable action on the application. New Mexico, he thought likely, would follow California's example. There was no mention of the Wilmot Proviso, but he declared that dissolution of the Union "would be the greatest of calamities. . . . Whatever



dangers may threaten it, I shall stand by it and maintain it in its integrity to the full extent of the obligations imposed and the power conferred upon me by the Constitution."

To many Southerners it seemed that Taylor's action in leaving matters to the people of California and New Mexico was but the Wilmot Proviso in a new form. Although the President suggested that by this means the sectional issue might be avoided, Southern extremists prepared to resist the proposal. Moderate Southern Whigs, on the other hand, were ready to support the President. Henry Clay, who had returned to the Senate in the crisis, was unwilling to follow Taylor's leadership. On January 21 Taylor reported to the House that the people of California had formed a State constitution and recommended its approval. Doubtless the President preferred to have California come in as a Whig State rather than remain in a territorial position. But Henry Clay seized the leadership of Congress against Taylor in much the same manner that he had earlier opposed Tyler. Unwilling to ignore the other sectional questions, he introduced, on January 29, a series of resolutions which were designed to solve the major problems.

### 3. CLAY'S RESOLUTIONS

Clay's resolutions provided for the admission of California under the free constitution and for territorial governments, without mention of slavery, in New Mexico and Utah. A boundary dispute between Texas and New Mexico should be settled adversely to Texas, but the Texan public debt was to be assumed by the United States. As for the constantly recurring question of

slavery in the District of Columbia, he proposed a declaration that it was inexpedient to abolish slavery there without the consent of Maryland and of the people of the District and without compensating the slave owners, but that the slave trade should be prohibited. In addition, Clay suggested a more effective fugitive slave law. He ended with a proposal that Congress declare that it had no power to interfere with the slave trade between the States.

Speaking upon these resolutions a few days later, Clay pleaded for the harmony which could be obtained only by concessions from each section of the country. The State legislatures were, he said, "twenty odd furnaces in full blast emitting heat and passion and intemperance and diffusing them throughout the extent of this broad land." The North was receiving California and New Mexico. "You have got what is worth a thousand Wilmot Provisos. You have got nature itself on your side." For the South, Clay pointed to the benefits of an effective fugitive slave law.

When, later in the month, senators from California appeared with a petition that they be recognized as entitled to seats, Southern opposition to either Clay's or Taylor's plans increased. Jefferson Davis expressed the viewpoint of the extremists by accepting the Calhoun doctrine that slavery was not a local institution but followed the flag. It could not be kept out of the territories by the act of either the people or Congress. Senator Benton, on the other hand, held that the municipal law of Mexico remained in force in the acquired regions until it had been repealed by Congress.

On March 4 the dying Calhoun was carried into the

Senate Chamber to speak on Clay's resolutions. Since he was too weak to stand, his address was read by a fellow Senator. Pointing to the equal position of the States in the original Union, the Carolinian enumerated the steps from the Northwest Ordinance through the Missouri Compromise to the proposed admission of California by which the North had grown at the expense of the South. The Union was being dissolved by the action of the North. Equal opportunities for the South in the territories, an effective fugitive slave law, and a cessation of abolitionist agitation would go but part of the way to prevent this from happening. In addition, the North would have to consent to a constitutional amendment which would "restore to the South, in substance, the power she possessed of protecting herself before the equilibrium between the two sections was destroyed by the action of this government." The admission of California as a free State would indicate to the South that the North would do nothing to restore the lost equilibrium. A posthumous essay showed that Calhoun was preparing to suggest a dual Presidency, with one President from each section with a veto over Congressional actions.

Much of the attitude of the Northern Whigs depended upon Daniel Webster, who had remained silent while Clay and Calhoun had been marshalling their followers. On March 7 he addressed the Senate in favor of the Clay Compromise. Deploring the thought of a dissolution of the Union and denying that peaceable secession was possible, Webster made an impassioned plea for Northern concessions. He earned for himself the hatred of the abolitionists, but his influence was great in securing the eventual enactment of the Compromise measures.

Clay's resolutions were embodied in an "Omnibus Bill" which became the focal point for succeeding discussions. Two obstacles, however, stood in the way of their acceptance: the attitude of President Taylor and the fact that the bill contained too many controversial issues to obtain a majority. Taylor resented the attempt of Clay to settle the issues through compromise, and suspicion became general that he would reject any bill which embodied anything other than the admission of California. Southern Whigs made efforts to persuade the President to accept the measure, but they obtained no satisfaction. Instead, they became convinced that the President would insist on the admission of New Mexico as well as California. On the floor of the Senate Seward was regarded as voicing Taylor's opinion when the New Yorker declared his opposition to tying California to a compromise of the slavery issue. The moral convictions of the North, said Seward, were opposed to the enforcement of the fugitive slave law. Although he admitted that the territories were held by Congress in stewardship for the citizens of the States, he proclaimed, "There is a higher law than the Constitution. . . . The territory is a part . . . of the common heritage of mankind, bestowed upon them by the Creator of the universe. We are his stewards," and therefore should exclude slavery. Such sentiments drove many Southern Whigs into opposition to the administration and made them more favorable to the Compromise.

Taylor's intention of forcing Congress to admit New Mexico was cut short by his illness and death in July, 1850. The new President, Millard Fillmore, had long been a rival of Seward in New York politics and a friend of the Southerners in the Whig party. The change of

Presidents removed one obstacle to the enactment of Clay's measures. In Fillmore's Cabinet Webster became the Secretary of State, and Clay's influence was great.

Before Taylor's death it had become apparent that the Omnibus Bill could not pass. Amendments to the original measure finally reduced it to a bill creating a territorial government for Utah, without prohibiting slavery; and on July 31 it passed Congress as the first of the measures making up the "Compromise" of 1850. Following upon the Utah bill, Stephen A. Douglas brought from the Committee on Territories bills for the admission of California, territorial government for New Mexico, adjustment of the Texas boundary, a fugitive slave law, and the abolition of the slave trade in the District of Columbia. From August 9 to September 16 Congress enacted these measures and Fillmore gave his ready approval.

The passage of the compromise measures was consistently opposed by the Southern extremists. California's admission destroyed the balance of free and slave States in the Senate, and Southerners refused to regard the other measures as a concession. In fact, the Fugitive Slave Law, which was the only concession in which the South was interested, was poor compensation for the loss of equality in the Senate. The vote upon the various bills in the Senate shows that the Southerners divided evenly on the Texas boundary bill, were unanimous for the Fugitive Slave Law, and were in favor of New Mexico without slavery. The Utah bill had but one Southern vote against it, the abolition of the slave trade in the District of Columbia had but one Southerner in its favor, and only two Southern Whigs were willing to accept California.

#### 4. THE NASHVILLE CONVENTION AND THE SOUTHERN REACTION

While Congress debated the so-called Compromise measures, the legislatures of the Southern States were discussing federal relations with particular reference to the admission of California. Georgia prepared to call a State convention to consider the situation and decided to send delegates to the Nashville meeting. In Alabama William L. Yancey led the movement for action, and the legislature selected Nashville delegates. Virginia referred the matter of sending delegates to the people in their primary assemblies, while Tennessee, Kentucky, and Maryland, under the influence of Whigs, failed to approve united action by the South. Whigs generally opposed the meeting, largely on the ground that it would embarrass the Taylor administration. In the months before the Nashville convention, the Washington atmosphere cleared and there came a realization that the masses of the Southern people were not in favor of secession. The Whig press had persistently opposed the Southern movement, and Whigs in several legislatures had prevented the appointment of delegates. When the convention assembled, Kentucky, North Carolina, Maryland, Delaware, and Missouri were unrepresented, and there were but 75 delegates from States outside Tennessee. One hundred Tennesseans, chosen by local meetings, were in attendance.

Instead of announcing the Southern position in stentorian tones, the convention soon fell into the hands of moderates who were opposed to any radical action. Judge W. L. Sharkey, a Mississippi Whig and Unionist, was chosen to preside, while the leadership of the extremists fell to Robert Barnwell Rhett. Rhett possessed the fear-

less determination and the ultraism of Calhoun but had neither the intellectual power nor the political acumen that had enabled the great Senator to dominate and persuade his associates. In a series of 28 resolutions the convention reasserted the Calhoun doctrines that the territories belonged to the States and that Congress could not exclude slavery from the territories. However, the convention suggested that if this principle were not acceptable, the South would be content with a division along the line of  $36^{\circ} 30'$ . In addition, the convention issued an address which followed the customary form of such documents. It began by recounting the growing estrangement of the sections, placed the blame upon the abolitionists, and showed that Congress was a tool, in the hands of abolitionists, to ruin the South. If the South yielded now, within fifty years the North would have the two-thirds majority of Congress and three-fourths of the States necessary to abolish slavery by Constitutional amendment. The convention adjourned to meet again in November to determine upon further action.

The adjourned session of the convention attracted little interest in the South. Southern leaders such as Robert Toombs, Howell Cobb, and A. H. Stephens had accepted the Compromise. Attendance was small, the Whigs absented themselves, and the fiery resolutions condemning the Compromise were not the authentic voice of the South. The Nashville movement, however, was not without significance. From it the extremists learned that the time required to hold an all-Southern convention gave the Unionists an opportunity to organize. A decade later, the extremists adopted a more successful technique.

During the Congressional debates on the measures comprising the Compromise of 1850, many Southern Whigs

declared themselves in favor of the various proposals. Taylor's death removed a vigorous personality who irritated the Southerners, and Whigs united to support Clay's program. On the other hand, Democrats declared that the admission of California would be both an insult to, and a fraud upon, the South and would justify a dissolution of the Union. During the year following the Compromise, the issue of accepting the Compromise or dividing the Union was fought out in elections.

The first State to act was Georgia, whose legislature, in the heat of controversy, had declared that California's admission would be an act of Northern aggression. With the passage of the California bill, the Governor called a State convention. In the elections, the Whigs, led by Stephens and Toombs, disguised themselves as the "Union and Southern Rights Party" in order to catch the votes of moderate Democrats and urged acceptance of the Compromise. The result was a convention of moderates with a majority pledged to maintain the Union. The convention adopted the "Georgia Platform," which declared that the Union was "secondary in importance only to the rights and principles it was designed to perpetuate," but counselled moderation in order to preserve its blessings. The convention, however, thought the State would be justified in contemplating secession if Congress should abolish slavery in the Federal property, stop the interstate slave trade, refuse to admit a State because of slavery, or modify the Fugitive Slave Law.

This platform was both an acceptance and a warning. Upon it Toombs attempted to organize a Union Rights party in the other States. In Mississippi, elections for a convention to consider the situation resulted in a Unionist victory, and the convention condemned the legislature



for calling it into existence. Jefferson Davis and H. S. Foote, who resigned their Senate seats to campaign for Governor, presented the respective causes of States' rights and Unionism to the voters. By a majority of but a thousand, the voters decided in favor of Foote and the Union. Davis retired to his plantation to await a favorable chance to resume his political career. In South Carolina the sentiment in favor of secession was too strong to be resisted by a Unionist party, and the State elections were held on the issue of immediate secession or of waiting for the co-operation of the other States. The voters repudiated the radical advice of Rhett and took sides with the "Co-operationists." In Tennessee, Virginia, Kentucky, and North Carolina the people accepted the Compromise, and the legislatures accorded it a reluctant acquiescence.

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## CHAPTER XIV

### SLAVERY AND THE TERRITORIES

#### 1. ACCEPTING THE COMPROMISE

THE struggle over the Compromise of 1850 disorganized political parties in the South. For the moment the Whig party had abandoned its organization in order to co-operate with Unionists of the Democracy in silencing threats of secession. With the success of the Union movements, Democrats began to inveigle their members into returning to their accustomed political ranks. Whigs, on the other hand, feeling that devotion to the Union had given them a new and potent issue, sought to remain as a Union party. Many States' Rights Whigs preferred to remain in the Democratic party rather than co-operate with the abolitionists of the Northern Whig Party. "The general rule of Whig affinity North is *abolitionward*," proclaimed one Southern editor, as he explained that "we in the South never had any immediate interest in the establishment of the protective system." On the other hand, there were numerous Whigs who for personal or social reasons could not co-operate with the Democrats. Essentially the Whigs of the South were conservatives. Large slaveholders and urban merchants, together with the small farmers of the mountains who saw an opportunity for industrial development, constituted the membership of the party. Despite the divergences between the various Whig groups, they were held together by a conservative

temper. For this reason the Southern Whigs who remained in the party after 1851 adopted the preservation of the Union and the acceptance of the Compromise as their major issues.

Among the Democrats there were equally strong reasons for accepting the Compromise. The State elections of 1851 had shown that a majority of the Southern people were opposed to radical action, while the freedom of the Northern Democrats from abolition heresies, made co-operation with the national party easy. Although the South had gained little from the Compromise of 1850, the blessings of the Union seemed for the moment to overshadow the promises of secession. Only a handful of fire-eating extremists were inclined to continue agitating for Southern rights and Southern nationalism.

Within the Whig party there were three leading aspirants for the Presidency, President Fillmore, Daniel Webster, and General Winfield Scott. Fillmore's long opposition to the abolitionist Seward and his support of the Compromise measures, and Webster's conciliatory 7th of March speech made either of them acceptable to the Southerners. Scott, however, was supported by the anti-slavery Northern wing of the party. Whigs therefore prepared to go into their nominating convention with a demand for Fillmore or Webster on a platform asserting the full acceptance of the Compromise of 1850 as a final settlement of the slavery controversy.

In Congress the Southerners were soon brought to see that Northern Whigs were thoroughly tainted with "higher law" doctrines. In April, 1852, Southern Whigs went into the party caucus determined to force acceptance of the finality of the Compromise. Failing to convince the Northerners, most of the Southern members withdrew

from the caucus. In the South, Whig State conventions followed the lead of the congressmen and instructed delegates to the nominating convention to demand acceptance of the Compromise in the platform and to select a nominee who would support it. Friends of the General quieted opposition to Scott by assurances that he was sound on the Compromise.

Relatively free from internal dissensions over the slavery issue, the Democrats found little difficulty in adopting a platform favoring all of the Compromise measures and giving specific assurances of support to the Fugitive Slave Law. This done, a struggle ensued over the selection of a candidate. Lewis Cass of Michigan, Marcy of New York, Pennsylvania's Buchanan, and Stephen A. Douglas of Illinois were all acceptable to the South, but none could gain the necessary two-thirds vote. After a three-day deadlock, Franklin Pierce, of New Hampshire, a man whom few knew but who was not likely to depart from the conservatism of his party, was nominated. William R. King, of Alabama, was selected for the second place.

On June 16 the Whig convention assembled in Baltimore with the Southern members determined to force acceptance of the Compromise upon the party. Despite an abolitionist minority, the Southerners carried the Compromise planks and enough of them gave a half-reluctant support to Scott to insure his nomination. The General accepted the nomination "with the resolutions annexed." This careful avoidance of a definite statement disgusted Stephens and Toombs, who feared that Seward would influence Scott as he had President Taylor. Gathering a number of like-minded Whigs, these irate Southerners issued a card declaring that there was no known incident

of Scott's career which showed him in favor of the principles of Compromise. The disapproval of Scott was widespread, especially in the lower South. Even those who supported the ticket did so without enthusiasm, and in November only Tennessee and Kentucky voted for the Whig candidate. Lethargy characterized the election, and nearly a hundred thousand voters stayed away from the polls. Since these absentees were from both parties, Pierce's majority was not large. In Delaware the Democratic majority was 25 and in North Carolina but 700. In the entire country Pierce had a popular majority of but 50,000 votes. Throughout the country the people were losing interest in the slavery controversy and were turning their attention to economic matters.

## 2. PIERCE'S ADMINISTRATION

In his inaugural address, the new President declared he believed that "involuntary servitude . . . is recognized by the Constitution" and that the Compromise measures of 1850 were "strictly constitutional and to be unhesitatingly carried into effect." But the major portion of his address was devoted to the necessity for the "acquisition of certain possessions not within our jurisdiction." "The policy of my Administration," asserted Pierce, "will not be controlled by any timid forebodings of evil from expansion." The Cabinet, all but two of whose members were in favor of the South, were as devoted as the President to the dreams of expansion. William L. Marcy became Secretary of State, James Guthrie of Kentucky was Secretary of the Treasury, Jefferson Davis headed the War Department, and James C. Dobbin of North Carolina was Secretary of the Navy. Caleb Cushing, of Massachusetts, who

took the Attorney-General's office, allied himself with Marcy and the Southerners in dominating the policies of the administration. Foreign missions, which would be important in a regime of expansion, were also given to Southerners or to Northern "Doughfaces."\* James Buchanan of Pennsylvania was sent to England, John Mason of Virginia to France, and Pierre Soulé of Louisiana to Spain. James Gadsden of South Carolina was made Minister to Mexico and an Arkansan represented the United States in Central America.

With such a Cabinet, it was inevitable that expansion to the south was contemplated. Southerners who felt, like Davis, that the Compromise of 1850 had deprived the South of its equality in the Union sought to redress the balance by acquiring more territory which could be made into slave States. Already the South was becoming interested in the Caribbean region. In January, 1852, a commercial convention in New Orleans had proposed a canal or a railroad across the Isthmus of Tehuantepec. In succeeding years similar conventions advocated trade expansion into Central America. There was even talk of steamship lines from Southern to South American ports.

The movement of American capital into the Caribbean and Central America antedated the Pierce administration. In the years following the Mexican War, companies of Americans, many of them chartered in the South, were interested in one of the three possible routes across Central America to the Pacific. Webster negotiated with Mexico for a concession for a canal and railroad route across Tehuantepec in behalf of a New Orleans company. Opposition to this scheme came from Cornelius Vanderbilt, himself interested in a railroad across Nicaragua. Polit-

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\* Northern men with Southern principles.

ical intrigue in Mexico resulted in the concession's being taken from the New Orleans company and given to a group formed in New York. The Tehuantepec project soon disappeared from rivalry, but in 1854 there appeared in Nicaragua the figure of the great filibuster, William Walker. Walker was a Tennessean who combined a love of daring adventure with at least a verbal devotion to the South. Earlier he had gathered a motley group in California and planned a filibustering expedition against California with the avowed purpose of securing Lower California as a slave State. In Nicaragua, Walker's handful of followers succeeded in setting up a "Liberal" president of the country. As dictator, Walker was successful and received much applause from the South. In 1856 he proclaimed himself President, re-established slavery in Nicaragua, invited American capital to enter, and talked vaguely about annexing his slaveholding country to the Union. Pierce recognized Walker's government; but Vanderbilt, who had lost his railroad concession, inspired a counter-revolution which drove Walker from the country.

While Nicaragua and Central America interested the Pierce administration, the hopes of the Southerners were more often centered in Cuba. Since the Mexican War, the Southerners had regarded Cuba as a potential slave State, and had enthusiastically supported the futile efforts which Narcisso Lopez, a South American, made to launch filibustering expeditions against the island. Efforts under President Taylor to stop Lopez's expeditions were brought to naught by a Southern jury who triumphantly acquitted the adventurer. A Federal grand jury indicted Governors Henderson of Louisiana and Quitman of Mississippi for complicity. Henderson was acquitted upon



trial, and the charges against Quitman, who had valiantly asserted his immunity as the governor of a sovereign State, were dismissed. No Southern jury would convict for a crime which had such universal approval. When Lopez was finally captured and killed by the Spanish authorities in Cuba, a New Orleans mob wrecked the Spanish consulate, defaced a picture of the Queen, and destroyed the property of Spanish residents.

Because of the aroused sensitiveness of the Spanish, Marcy instructed Soulé to proceed cautiously in raising the question of Cuban annexation. But Soulé was an ardent expansionist, and soon took advantage of the capture of the *Black Warrior*, an American vessel seized for violating Cuban customs regulations. Soulé threw caution to the winds and sent a brusque demand for reparations within 48 hours. The Spanish refused to consider so high-handed a demand, and Marcy failed to support his minister. Instead, the Secretary of State instructed Soulé to consult with Mason in France and Buchanan in England on a policy to be followed by the United States in regard to Cuba.

The three ministers met at Ostend in Belgium in the summer of 1854. But if Marcy expected that the conference would cool Soulé's ardor, he was doomed to disappointment. Partaking in full measure of Soulé's expansionist sentiments, the ministers drew up a manifesto declaring that Spain ought to sell Cuba to the United States. Cuba, the ministers explained, was necessary for the safety of slavery in the South, and if Spain should refuse to sell and the Union should be endangered through her obstinacy, "by every law human and divine, we shall be justified in wresting it from Spain if we possess the power." Soulé suggested to Marcy that the Crimean

War, by occupying England and France, furnished an opportune time for declaring war on Spain. Marcy, however, failed to act on the suggestion or to support his jingoist minister. Public sentiment in the North condemned the Ostend Manifesto while its authors were applauded throughout the South.

Out of all the expansionist dreams of the Southern-dominated Pierce administration but one project materialized. Before the Mexican War, there had been Southern plans for a railroad to run from California to the South. In 1845 the Memphis commercial convention had heard James Gadsden, president of the South Carolina Railroad Company, propose such a road which would connect with his own line. At the close of the Mexican war the settlement left the only feasible route for such a road in Mexico's possession. But Pierce sent Gadsden to Mexico as minister, and Jefferson Davis became the principal sponsor of the Southern route in the Cabinet. Marcy instructed Gadsden to obtain a cession of the desired territory. Taking advantage of Santa Anna's need for money, Gadsden purchased sufficient territory South of the Gila River to make the railroad project possible. Davis devoted the efforts of the War Department to a survey of the route.

### 3. RAILROADS AND THE KANSAS-NEBRASKA ACT

Unfortunately for Davis's plans for a Southern railroad to the Pacific, there were rival schemes for a road to follow a Northern route. Both Chicago and St. Louis demanded a transcontinental railroad which would connect, through these cities, with consolidated systems into the East. Ambitious Chicagoans wanted a road which would run

due west from their city, while speculators of St. Louis desired a road direct to San Francisco. Two difficulties lay in the way of realizing these dreams: the lack of capital and the presence of wild Indians in the unorganized Indian territory known as Nebraska. The solution to the first lay in a government subsidy; that to the second, in the establishment of a territorial government in Nebraska. The second problem was the more pressing, for the experience of the railroads in obtaining subsidies from States and counties gave confidence that government aid would be forthcoming. The first necessity was to clear the route.

Because the region called Nebraska lay north of the line of  $36^{\circ} 30'$  and was therefore not open to slavery, the Southern members of Congress had long resisted any efforts to organize it into a territory. Indians removed from the Eastern States roamed at will over the country, held in their boundaries by a scattered system of frontier army posts.

In the bordering State of Missouri there were two groups with an interest in Nebraska. The rich lands of the Missouri River invited agricultural expansion, and many of the land-hungry would welcome the opening of the territory were slavery not prohibited. Already the free State of Iowa to the North rendered easy the operation of the Underground Railroad; a free State to the west would make slavery impossible in Missouri. Suppressing their desire for the fertile fields of Nebraska, these men followed the lead of Senator Atchinson, who proclaimed that Nebraska should never be organized as a free territory. Opposed to Atchinson and the proslavery people were Senator Benton and the St. Louis business men, who cared less about slavery than about a transconti-

nental railroad with its eastern terminus in their city. While Jefferson Davis was pushing his project for a Southern road, Benton and Atchinson contended for the control of Missouri. In the end Benton won, and Atchinson decided to support a plan to organize the Nebraska territory.

At the same time, Chicago interests were ready to push a proposal to organize Nebraska. Stephen A. Douglas, himself holder of extensive lands in the city which might be sold to any newly created railroad, was in a strategic position as Chairman of the Senate Committee on Territories. Knowing that Atchinson would introduce such a bill, Douglas hastened to draft a measure establishing a territorial government for Nebraska. But Douglas realized that opposition would come from the Southerners and prepared to forestall it by providing that the people of the Territory should have the right to determine its domestic institutions.

The idea of "popular sovereignty"—soon to be derisively designated "squatter sovereignty"—was not new. Lewis Cass had suggested it in 1847 and had elaborated upon it when he was a candidate for the Presidency in 1848. Southerners had long contended that the people of a territory, at the time that they drew up a State constitution, could legislate about slavery. Popular sovereignty was but the extension of this right to the people of the territory at the time they elected a territorial legislature. Douglas added the spurious rationalization that the principles of the Compromise of 1850 had superseded those of the Missouri Compromise, and that the prospective settlers of Nebraska should be accorded the same privilege as the inhabitants of Utah and New Mexico.

In addition to constructing an ingenious argument, Douglas tried political means to get Southern support.

For many reasons it seemed advisable to divide the Nebraska country into two territories, one to bear the original name and the other to be called Kansas. The latter, lying directly west of Missouri, would normally be settled from the older State and would be slave, while Nebraska, settled from Iowa, would be free. With the bill in this form Douglas approached Davis, and under Davis's influence Pierce committed himself to support the project. Thereafter, the administration stood staunchly back of the Kansas-Nebraska Bill, even though in a short time it became apparent that it had made a grave mistake. Had Davis refused to support Douglas's scheme, the Southern railroad of which he dreamed might have become a reality; and had he bargained with Douglas, he might have secured support in the Northwest for annexations in Central America and the Caribbean. Instead, Davis and the administration grasped hurriedly at the lure of a new slave State and the repeal of the oppressive Missouri Compromise. Douglas stood ready to obtain all the benefits of Davis's mistake: the administration was to share in the obliquity which resulted.

On January 22, 1854, two days after having received Pierce's commitment, Douglas presented the Kansas-Nebraska Bill. The opposition to the measure was immediate. On the same day, there appeared in the New York papers the protest of such Free-soilers as Charles Sumner, Salmon P. Chase, Ben. Wade, and John Parker Hale. This "Appeal of the Independent Democrats in Congress to the People of the United States" declared that the Missouri Compromise had been regarded as sacred and inviolable. The Kansas-Nebraska Bill was a "bold scheme against American liberty worthy of an accomplished architect of ruin." It was a "falsification of the

truth of History." The signers appealed to the people to "protest, earnestly and emphatically by correspondence, through the press, by memorials, by resolutions of public meetings and legislative bodies, and in whatever other mode may seem expedient, against this enormous crime." Throughout the North, press, pulpit, and public forum turned to a denunciation of Douglas and the Pierce administration. When the debate opened, Congress was deluged with petitions from the North.

Against the bill, Chase, Sumner, Wade, Edward Everett, and William H. Seward raised their voices to deny Douglas's assertion that the principles of 1850 were intended to supersede those of 1820. The fires of sectional hatred burned furiously as they were answered by Democrats and Southerners. Southern Democrats who followed the constitutional precepts of Calhoun had long contended that the Missouri Compromise was unconstitutional; Southern Whigs were willing enough to see the people of a territory given the right to possess slaves. With Southern Whigs co-operating with the administration forces, it was apparent that the bill must pass. On March 4, 1854, the bill passed the Senate by a vote of 37 to 14. In the House the full force of the administration and the persuasive tactics of Senator Douglas were necessary to bring the bill to a vote. On March 22 it passed 113 to 100. Forty-four Northern Democrats joined 57 Southern Democrats and 12 Southern Whigs to pass the measure. In the opposition were to be found two Southern Democrats and seven Southern Whigs. In the South there was widespread rejoicing, although Sam Houston's raven croak was heard declaring that "the people of the South care nothing for it. It is the worst thing for the

South that has ever transpired since the Union was first formed."

#### 4. THE STRUGGLE FOR KANSAS

The passage of the Kansas-Nebraska Bill turned the Pierce administration away from its expansionist program and made it primarily concerned with the effort to carry slavery into the newly created territories. As soon as Pierce signed the bill, parties of Missourians, who had been anxiously awaiting the day, crossed over into Kansas and staked out homesteads along the Missouri and Kansas Rivers. Here they established the towns of Leavenworth, Kickapoo, and Atchison. But there were others interested in the possibilities of the fertile lands of Kansas. During the first summer, settlers came also from New England, sent under the auspices of the New England Emigrant Aid Society.

The guiding spirit of the New England Emigrant Aid Society was Eli Thayer of Worcester. Originally the company was designed to send the surplus population from Massachusetts to Kansas and to assist the immigrants in establishing themselves by loaning them money for founding local industries. Profits impelled Thayer, but almost from the beginning he capitalized upon the anti-slavery sentiment of his section by proclaiming that his company would serve to keep Kansas in the ranks of the free States. To aid in this purpose or to share in the expected profits, Charles Francis Adams, Amos Lawrence, and a number of wealthy and influential citizens of New England joined the company. The first settlers, arriving in Kansas in the summer of 1854, founded the town of

Lawrence and remained aloof from the settlements of the Missourians. With them came other settlers from the free States of the Old Northwest.

To the inhabitants of Missouri, who interpreted the Kansas-Nebraska Bill as a promise that Kansas should be slave, this migration appeared to be an invasion. Without penetrating the economic motives of the New England Emigrant Aid Society, the proslavery advocates accepted Thayer's verbal prospectus literally and took alarm at the thought of being deprived of the right to carry their slaves into Kansas. Immediately they appealed for assistance to the South. Southern Congressmen, approached for their opinions, approved the idea of a counter movement but were unable to finance it. The lack of capital for such a purpose handicapped the South in the struggle for Kansas and forced the Missourians to appeal for a voluntary migration of Southerners who would save Kansas for slavery.

But if the South lacked capital for sending immigrants into Kansas, the proslavery forces could count upon the support of the Pierce administration, which was interested in saving Kansas not only for slavery but also for the Democratic party. In October, 1854, Andrew H. Reeder, of Pennsylvania, arrived in Kansas as Territorial Governor. After touring the settlements, Reeder announced November 9 as the date for the election of a territorial delegate. On election day the polls were taken over by some 1,600 armed men from the border counties of Missouri; and amid much disorder and fraud, a Southerner was selected to represent the territory in Washington. To this violence Reeder made no objection, and Congress, meeting a few days later, accepted the delegate.

During the winter of 1854-1855, it became apparent



that the Missourians could expect little aid from the South in holding Kansas. Forced to rely upon their own efforts and inspired by their success in the first election, the residents of western Missouri formed secret societies to repress the Northern settlers. In the spring these "Blue Lodges" were ready to intervene in the election of a territorial legislature. There were 2,905 qualified electors in Kansas, but 6,307 votes were cast—over 80 per cent being made by the visiting "border ruffians." The free-State settlers desired Reeder to invalidate the election; but the Governor, surrounded by Missourians, seated but seven free-State representatives, while the proslavery men had 28. In the South the violence and fraud were condoned as justifiable tactics to combat the Northern invasion.

Governor Reeder's reaction to this situation revealed that he had been astounded at the results of his complacent actions. En route to Washington to lay the situation before Pierce, Reeder told the full story of Kansas election disorders to a Pennsylvania audience. Pierce was angered and asked Reeder's resignation, but the Governor refused unless Pierce should give him a written approval of his actions. Instead of resigning, he returned to Kansas to deal with the irate territorial legislature.

Reeder had failed to co-operate with the Missourians at the same time that he had failed to protect the free-State settlers. Perhaps his vacillating course can be explained by his own speculations in Kansas lands. The proslavery faction alleged that the Governor's ownership of lots at Pawnee impelled him to call the legislature to assemble there. When they met, the proslavery majority immediately proceeded to expel the free-State members and to remove the capital to Shawnee Mission on the Missouri border. Then a code of laws was drawn up for the ter-

ritory, the most significant feature being the adoption of the Missouri slave code. When Governor Reeder refused to sign these laws, the legislature appealed to Washington for the Governor's dismissal. On August 15, 1855, Reeder was notified of his removal.

The squabble between Reeder and his legislature was paralleled by violence in Kansas. Men of antislavery sentiments were driven out of the proslavery settlements, and clashes between the members of the opposing factions were common. In the North there was great indignation, while the South continued to give its approval to Kansas's legislators. The Democrats of Georgia passed resolutions expressing strong sympathy with the "manly efforts" of their "Southern brethren" in defeating the "paid adventurers and Jesuitical horde of northern abolitionism." But while approval came from the South, the free-State people of the Territory were taking matters in their own hands. Under the leadership of Dr. Charles Robinson, who had witnessed the creation of a State government in California, free-State inhabitants began a movement to repudiate the territorial legislature and adopt a free-State constitution. Mass meetings among the Northern settlers sent delegates to a constitutional convention at Topeka in October. The resulting "Topeka Constitution" prohibited slavery, and the people were given an opportunity to vote on an ordinance excluding all Negroes from the Territory. In an election for a territorial delegate, the free-State people chose ex-Governor Reeder to go to Washington to contest the seat of the proslavery delegate.

This development led to renewed activity in the South. Senator Brown, of Mississippi, proposed that his State should send 300 young men with an equal number of slaves purchased by the State into Kansas. In Georgia

the legislature considered a bill to tax slaves for \$50,000 to be expended in Kansas. In the course of the discussion it was revealed that the Muskogee Emigrant Aid Company, planned to combat the work of Thayer's organization, had been able to raise but \$950 for the great crusade. Moreover, a fear was expressed that the young men who would be sent into Kansas would join with the free-State people. In other States the legislatures considered going to the aid of the embattled Missourians, but the only significant expedition was a private one led by Major Jefferson Buford, of Eufaula, Alabama. Private subscriptions raised \$14,000 and Buford sold his own slaves to obtain the \$24,000 which he spend to lead 400 men into Kansas. Armed only with Bibles supplied by a Montgomery church, the band arrived in Kansas in April, 1856. The men scattered after a time, and Buford left Kansas after a year of futile effort to raise money.

While the Southern States were discussing means of saving Kansas, the question was agitating the administration and the Congress. To Congress Pierce declared that there had been "acts prejudicial to good order" in Kansas but not of sufficient seriousness to warrant interference. On January 24, the President sent a special message in which he condemned the New England Emigrant Aid Society and the Topeka Constitution. The first he condemned as an "extraordinary measure of propagandist colonization," and the second he pronounced "revolutionary." To suppress the invaders, Pierce seemed to promise the use of the Federal authority. On February 11 he issued a proclamation ordering both the border ruffians and the free-State people to refrain from violence and warning citizens of other States against "unauthorized intermeddling" in Kansas.

Congressional discussion of Kansas problems began on March 12 with a report of the Senate Committee on Territories. As Chairman of the Committee, Douglas condemned the New England Emigrant Aid Society, the author of the trouble. Proceeding from this premise, Douglas found the territorial legislature legally constituted and the Topeka government illegal. Later in the month, Douglas introduced a bill to provide for the calling of a constitutional convention when the Territory should have 93,420 inhabitants. The debates soon involved the entire question of slavery extension and called for the best oratorical efforts of such abolitionists as Hale, Seward, Wade, Trumbull of Illinois, and Henry Wilson of Massachusetts. But the most powerful speech was delivered on May 19 and 20 by Charles Sumner, who declared beforehand that he would "pronounce the most thorough philippic ever uttered in a legislative body." The speech, entitled *The Crime against Kansas*, fulfilled its maker's promise. Filled with denunciations of the Southerners, the Senator passed from generalities to personalities. Douglas was likened to a skunk, and South Carolina's Senator Butler was roundly excoriated. Douglas made immediate reply, pointing out that the "libels, the gross insults, which we have heard here today have been conned over, written with a cool, deliberate malignity . . ." and were not the result of sudden passion. Sumner, said Douglas, was a perjurer who had taken an oath to support the Constitution yet publicly announced that he would disobey the Fugitive Slave Law.

Two days later, Senator Butler was avenged by his cousin, Preston S. Brooks, Representative from South Carolina. Entering the Senate Chamber after adjournment, Brooks found Sumner seated above at his desk.

Raising his cane the irate South Carolinian rained blows upon Sumner's head until the cane was broken and the unconscious and bleeding Senator lay upon the floor. Two Southern Senators gazed complacently upon the fray, and there were few to condemn the Carolina knight-errant in Congress or in the South. The widening sectional gap is nowhere better displayed than in the reactions of North and South to the assault. Massachusetts left its martyr's seat vacant for three years until he had recovered sufficiently to resume it, while Brooks, resigning his place in the House, was returned to it in triumphal vindication. While newspapers and pulpits of the North were filled with condemnation for Brooks, the South showered praises upon him and presented him with more canes with which to club abolitionists. One such cane, from South Carolina, was inscribed, "Use knockdown arguments."

While Congress and the country were witnessing these scenes of verbal and physical violence, the situation in Kansas had rapidly grown worse. Reeder's successor as Governor was Wilson Shannon, an Ohio Democrat as devoted to Democracy and slavery as Reeder had originally been. When he arrived in the Territory, he gave immediate indication that he planned to support the proslavery forces in the legislature against the free-State settlers. He gave his approval to the organization of a "Law and Order Party" composed of the proslavery forces. The free-State communities, however, persisted in ignoring the governors and legislature, and clashes between the sections increased in frequency. In November 1855 occurred an incident which might have precipitated open civil war. A free-State mob rescued a prisoner from a proslavery sheriff and carried the culprit into Lawrence. The sheriff immediately appealed to the border ruffians,

and 1,500 crossed the line to join the "Law and Order" militia in a march on Lawrence. Approaching the town, however, they found it guarded by earthworks and manned by men with rifles. While the sheriff's posse contemplated this unexpected development, Governor Shannon arrived on the scene and persuaded the two sides to make peace. This "Wakarusa War" resulted in no bloodshed but was a portent of the violence which might occur.

A few days later, the free-State people went to the polls to adopt the Topeka Constitution and accept the ordinance excluding Negroes from the State. A governor and a legislature were elected who wisely refrained from attempting legislation.

The winter of 1855-1856 was severe and enforced a truce between the ardent antagonists in Kansas. With spring there came new settlers from both North and South and a renewed outbreak of violence. When a sheriff was shot by a free-State man, the Chief Justice of the Territory instructed the grand jury that resistance to the laws of the territorial legislature was treason to the United States. The jury returned indictments naming Reeder, Robinson, and Jim Lane, who had presided over the Topeka convention, for treason, and presented a newspaper and a hotel of Lawrence as nuisances. Reeder resisted arrest and fled in disguise; Robinson escaped but was arrested in Missouri. On May 11 the United States marshal issued a proclamation declaring that residents of Lawrence had resisted the laws and calling for a posse to march on the town. With the border ruffians, Buford's band and the Law and Order militia, he proceeded to Lawrence, where the citizens protested that they had resisted no laws and appealed to Governor Shannon to send troops for their protection. The Governor failed to send aid, and the

marshal's forces, dragging five cannon with them, invaded Lawrence. The obnoxious newspaper was destroyed, the hotel burned, and the cannon in the possession of the New England Emigrant Aid Society confiscated. The invaders then sacked the town. Five lives were lost.

The excited state of the entire country is revealed in the incidents of a few weeks. On the day after the sack of Lawrence, Brooks assaulted Sumner. Two days after that came the avenging act of John Brown, an abolitionist religious fanatic who gathered a small band of men and murdered in cold blood five proslavery men. The victims had all had trouble with Brown in the past, and there was a curious jumble of horse-stealing and claim-jumping in the ensuing disorders in Kansas. Following upon Brown's act, armed bands roved the Territory wreaking personal vengeance in the name of slavery or of freedom. On June 4, Governor Shannon ordered all armed bands to disperse, but wandering marauders continued to terrorize the country. How many men were killed in the guerilla warfare of the next few months is merely a conjecture, but perhaps 200 lost their lives as a result of the turbulent times. In the rest of the country, however, there was no doubt that massacres and battles on a grand scale were taking place in Kansas. Early in July a meeting at Buffalo formed a Central Kansas Committee whose avowed purposes were to organize the Northern people and to send arms to the free-State men in the Territory. The campaign was carried into the churches, and Henry Ward Beecher, speaking in New Haven, pleaded for subscriptions to buy Sharp's rifles for new companies of immigrants. Armed with these "Beecher's Bibles," reinforcements hastened into Kansas to add to the accumulating disorders. In the South, newspapers and orators declared

—to use Rhett's words in the *Charleston Mercury*—“Upon the proposition that safety of the institution of slavery in South Carolina is dependent upon its establishment in Kansas, there can be no rational doubt. He, therefore, who does not contribute largely in money now, proves himself criminally indifferent, if not hostile, to the institution upon which the prosperity of the South and of this State depends.” Rhett proposed that “secret measures,” carried out by a vigilance committee of the “Kansas Association” would encourage subscriptions. In Missouri such vigilance committees seized vessels coming up the Missouri River, confiscated the merchandise of the free-State traders, and took arms away from arriving immigrants whom the Emigrant Aid Society had sent.

Violence might have continued in Kansas had not the necessities of the campaign of 1856 compelled Pierce to replace the drunken Governor Shannon with J. P. Geary, another Pennsylvanian and the ablest of the Kansas Governors. Geary immediately announced that he would use the Federal troops to suppress the guerilla bands of both sides, and the announcement brought peace in the Territory until after the election.

## 5. KNOW-NOTHINGS AND REPUBLICANS

The effect of the struggle for Kansas on political parties was far-reaching. The passage of the Kansas-Nebraska Bill was the final blow to the feeble Whig party. In the South the Whig party was composed of two groups: the nationalists, who would prefer to continue in association with the Northern wing of the party and the “Southern Rights” element, who placed the interest of their section before party unity. The latter class of Whigs had en-



dorsed the Nebraska bill in a separate caucus and had voted for it in Congress. The Northern Whigs had been unanimously opposed. It was obvious that the Whigs of the South could no longer co-operate with their Northern allies. On the other hand, social considerations and a long history of political opposition made it difficult for them to join the Democrats. Proposals for a third party came from such leaders as A. H. Stephens, who believed that the Southerners might unite with the Fillmore faction of New York and the "cotton" Whigs of the other Northern States in a new national party dedicated to the Compromise of 1850. Instead of making an effort to form such a party, the Southern Whigs entered the Know-Nothing party.

The Know-Nothing party was essentially a conservative movement in politics. Directed against the political influence of the foreigner and the Catholic, it expressed the fear of the conservative classes that the influx of Irish and Germans would seriously undermine American standards and mores. In the North, workingmen disliked the competition which immigrants with low living standards produced. In the Border States of the South a similar feeling gave Know-Nothingism a hold, while in the lower South the conservative nature of the new party proved attractive to Whigs who could not co-operate with the Democratic party. Since the newly arrived immigrant was usually attracted by the name, the principles, or the ward-healers of the Democratic party, a party in opposition to the foreigners took on aspects of an anti-Democratic movement.

Beginning in New York, the Know-Nothing movement spread rapidly to Maryland. In June of 1854, after making a success in local elections in various States, a "Grand

'Council for the United States" was formed, and representatives of Maryland, Virginia, Alabama, and Georgia were present at the meeting. With this beginning, the Southern members immediately prepared to force the order into a statement on the sectional issues. In November, 1854, the national council met in Cincinnati, where a Southern delegate proposed the adoption of a third decree to the secret order. This decree required the initiate to "discourage and denounce any attempt coming from any quarter to destroy or weaken the Union and to maintain and defend it against all encroachments under all circumstances, and to put under the hand of proscription any and all men who might be engaged in impairing its vigor or resisting its authority." With the adoption of this decree, the Whigs of the South could find a comfortable political home in the new party.

Although the adoption of this Union-saving declaration brought many Southern Whigs into the Know-Nothing ranks, it convinced Northerners that the party was unfitted to express Northern sentiment. In State elections of 1855 the Know-Nothings carried three New England States in the spring, and its leaders announced that it had a million sworn members who could carry every city in the land. In Virginia, however, the party met a setback. There the Know-Nothings nominated Thomas S. Flournoy, a former Whig leader, for Governor. The Democrats nominated Henry A. Wise, who made a brilliant and aggressive campaign in which he made the most of the intolerant and proscriptive character of the opposition. The "American" platform in Virginia, as in the rest of the South, had declared in favor of religious toleration. In the Catholic parishes of Louisiana, in fact, the "American" movement was strong. But Flournoy in his enthusiasm

for the new principles declared that he opposed any Catholic holding office in the State. The outcome was a Democratic victory of 10,000 votes.

In other Southern States the Know-Nothing movement met with failure. In Georgia, Toombs and Stephens worked with the Democratic party. Stephens announced himself an independent candidate for Congress, but the Democrats adopted him and insured his election. In the fall elections, the Know-Nothings polled 43,222 votes, but the Democratic gubernatorial candidate had 53,478. Tennessee re-elected Andrew Johnson Governor, although the Know-Nothings had a slight majority in the legislature and, thanks to east Tennessee, returned a majority of Congressmen who adhered to the "American" platform. Maryland, Kentucky, and Texas elected Know-Nothings to office.

When the National Council of the "American" party met in June, 1855, the Southern delegates were prepared to commit the party to the principles of the Southern Whigs. The Massachusetts Know-Nothings, on the other hand, had thoroughly identified themselves with abolitionism; and the Southerners attempted to keep Henry Wilson and the State's delegation out of the convention. Failing in this, they proceeded to make slavery the chief topic of discussion. A platform was presented denying Congress the power to legislate for slavery in the District of Columbia or the territories, and insisting upon the enforcement of the Fugitive Slave Law. Upon the adoption of these resolutions, a number of Northern delegates followed Wilson out of the convention. From this time it was evident that the Know-Nothing party was but the Whig party under another name, and its Northern adherents sought political refuge in the rising Republican

party. The "American" party continued with dwindling membership until the eve of secession.

More permanent as a political outgrowth of the Kansas-Nebraska Bill was the Republican party. The congressional opponents of the bill issued an address to the people calling for a new party, and a ready response came from the Western States, where Whiggery, always weak, had collapsed before a series of Democratic victories. In July there were mass meetings in Michigan, Wisconsin, Ohio, and Indiana, where disgruntled Democrats, ambitious Free-soilers, and politically homeless Whigs met to organize State tickets. The Michigan and Wisconsin meetings denominated themselves "Republicans"; in the other States, "People's" or "Independent" parties carried the common banner of opposition to the Kansas-Nebraska Law, to the extension of slavery, to the Fugitive Slave Law, and to the Southern aristocracy. State and congressional tickets were put in the field, and the movement spread to other States. In the elections of 1854, the Republicans contended with the Know-Nothings for the leadership of the forces opposing the Democrats, with the result that the administration lost 62 seats in the House of Representatives. In the States, local candidates bearing Republican or Know-Nothing labels were elected. Opposition legislatures in the winter of 1855 sent new members to the Senate. Amid the confusion of many party tags, Douglas proclaimed that the Anti-Nebraska campaign had proved abortive; but it was evident that the administration and the Democracy had been rebuked.

In 1855 the Know-Nothings made more progress in capitalizing upon this Democratic defeat than did the Republicans. But as the party suffered defeats in the Southern States and lost its Northern members through

its adherence to the Compromise of 1850, the Republicans took hope, although the year brought no victories. The Democrats regained their lost ground by carrying five Southern States. When Congress met in the winter of 1855, there was chaos among the parties. In the House, Democrats had fallen from 159 to 75 and the Know-Nothings had 117, with 40 Republicans and a number of independents completing the membership. The division between the Northern and Southern "Americans" resulted in a delay of two months in electing a Speaker. The final choice was N. P. Banks, a Know-Nothing who was in the process of transferring his allegiance to the Republican party.

## 6. THE ELECTION OF 1856

The Know-Nothings went into the campaign of 1856 with a weakened party. The national council, meeting on February 18, modified the earlier declaration in favor of congressional noninterference with slavery to a statement that the people of a territory should be allowed to "regulate their domestic and social affairs in their own mode." On Washington's Birthday the party's national convention assembled with delegates from all the Southern States except South Carolina and Georgia. Debate immediately began on a resolution to repudiate the council's statement on slavery in the territories. A substitute resolution favored re-establishing the Missouri Compromise line. The party rejected the motion by a vote of 151 to 59. Thereupon the delegates from New England and Ohio and some from other Northern States withdrew from the convention. Millard Fillmore, a candidate most likely to be accepted by the South, and A. J. Donelson, nephew of

Andrew Jackson, were nominated for President and Vice-President. The seceding members called a convention to meet in June. It was evident that the Know-Nothings would be of little importance in the campaign and that the Republican party would draw the non-Democratic votes of the North.

The Democratic national convention met in June at Cincinnati. The party had profited by the elections of the preceding year and could expect the votes of its opponents to be divided between Know-Nothings and Republicans. On the other hand, the party had suffered seriously from the unpopularity of the Kansas-Nebraska Bill. The primary task of the convention was to select a candidate who would draw the wavering voters of the North. Both Pierce and Douglas, each of whom hoped for the nomination, were too closely connected with Kansas to be considered. Passing over them, the party nominated James Buchanan and John C. Breckenridge. Buchanan had been in England during the Kansas struggle and had cautiously kept silent on the issue. As a conservative from highly conservative Pennsylvania, he could appeal to moderate men both South and North. As one of the authors of the Ostend Manifesto he was acceptable to the Southern expansionists. Backed by John Slidell of Louisiana, Buchanan could count on the support of the more crafty Southern politicians. He had never, declared a Richmond paper, uttered a word to "pain the most sensitive Southern heart."

The Democratic platform was equally pleasing to the Southerners. The party declared "that Congress has no power under the Constitution to interfere with or control the domestic institutions of the several States, . . . that all efforts of the Abolitionists or others made to induce Con-

gress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences." Moreover, the party declared itself in favor of the Compromise measures of 1850, including the Fugitive Slave Law. As for the territories, the Democrats repudiated "all sectional issues and platforms concerning domestic slavery which seek to embroil the States and incite to treason and armed resistance to law in the Territories." Therefore, "the American Democracy recognize and adopt the principles contained in the organic laws establishing the territories of Nebraska and Kansas as embodying the only sound and safe solution of the slavery question." Popular sovereignty, in the form in which Douglas had presented it, was endorsed by the party.

With two parties in the field with platforms and candidates acceptable to the South, the Republican party gathered to itself all opponents of the South and of slavery. The first Republican nominating convention was a mass convention with little attention given to the apportionment of delegates among the States. All of the Northern States, together with Kentucky and Maryland, had delegations of various sizes. Despite the appearance of popular spontaneity, the party was managed from the beginning by experienced politicians. Although the party was sectional in its nature and possessed coherence only through its opposition to slavery, the politicians passed over the leaders of the antislavery cause—Chase, Wade, Seward, and Banks—and selected instead John C. Frémont. The candidate was an army officer with a record of daring adventure as an explorer of the West and was the son-in-law of Missouri's Senator Benton. As Seward had explained the year before, the party's banner was

"untorn in former battles and unsullied by past errors." In the same spirit, a new and unknown man was made the nominee. The platform showed similar youthful vigor. It declared its opposition to the repeal of the Missouri Compromise, to the policy of the Pierce administration, and to slavery in the territories. It favored the admission of Kansas as a free State and incorporated the principles of the Declaration of Independence in the platform. "We deny" asserted the Republicans, "the authority of Congress, of a Territorial legislature, of any individual or association of individuals, to give legal existence to slavery in any Territory of the United States." Instead, the party asserted "That the Constitution confers upon Congress sovereign power over the Territories . . . for their government, and that in the exercise of this power it is both the right and the duty of Congress to prohibit in the Territories those twin relics of barbarism, polygamy and slavery." In addition, the party declared its adherence to an economic program which was as offensive to the South as were its moral and constitutional declarations. A Pacific railroad and Congressional appropriations for internal improvements received the hearty endorsement of the new party.

The nomination of an abolitionist candidate by a sectional party on a platform which directly attacked the South and its institutions struck fear in the South and among conservatives in the North. In the South there was an increased tendency for old Whigs and Americans to go over to the Democrats in order to defeat the Republican menace. In Georgia the leading Know-Nothings left the party on the grounds that Fillmore had no chance of election and that a vote for Buchanan was a vote to preserve the rights of the South. Throughout



the South the idea spread that a vote for Fillmore was a vote for Frémont. Late in the campaign the remnants of the Southern Whigs held a convention to endorse Fillmore, but the move did nothing to bolster the declining fortunes of the Americans. Throughout the South there were threats that the election of a Republican President on an anti-Southern platform would constitute grounds for secession. The threat brought more Unionists of the South into the Democratic ranks. Even to Northern conservatives the danger was apparent. Rufus Choate of Massachusetts understood the Southern attitude. "I fear the consequences" of a Republican victory, he declared. "To the fifteen States of the South that government will appear worse. It will appear a hostile government. It will represent to their eye a vast region of States organized upon Anti-Slavery, flushed by triumph, cheered onward by the voice of the pulpit, tribune and press; its mission, to inaugurate freedom and to put down the oligarchy; its constitution, the glittering and sounding generalities of natural right which make up the Declaration of Independence." On election day, Buchanan polled the votes of all the Southern States except Maryland, which went for Frémont. New Jersey, Pennsylvania, Indiana, and Illinois were also Democratic, and Buchanan had 174 electoral votes to 114 for Frémont. A majority of but 500,000 in the popular vote showed the South that there was still much to fear.

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## CHAPTER XV

### A HOUSE DIVIDED

#### 1. LAST STAGES OF THE SLAVERY CONTROVERSY

WHILE political parties were in a state of chaos over the extension of slavery into the territories, the slavery controversy was becoming intensified and was further dividing the people of the North and the South. Most potent as a factor in this division was the operation of the Fugitive Slave Law. In the Georgia platform, the Democrats of that State had declared that "it is the deliberate opinion of this convention that upon the faithful execution of the Fugitive Slave Law by the proper authorities depends the preservation of our much-loved Union." But to Northerners the law was the most objectionable feature of the Compromise; and since its execution must necessarily involve some suffering, the abolitionists made the most of their new opportunity to stir up sympathy for runaway slaves.

Hardly had the year 1851 opened when the Northern people were made aware of the presence of the slave hunter and the kidnapper in their midst. A Negro, William Smith, who had lived with a wife and two children in Pennsylvania for two years was shot by a Baltimore sheriff while resisting arrest as a fugitive. A girl from Pennsylvania, who was known to be free by the residents of her village, was claimed by a Marylander, who had her arrested. When her employer proved her

free status, he was hanged while returning home from the court. A woman named Hannah Dellan was hastily sent out of Philadelphia in order that her expected child would not be born in a free State. William and Ellen Crafts escaped from Georgia to the protection of the leading abolitionists of Boston, who resisted any efforts to arrest them while their pursuers were driven from the city. In Syracuse a mob rescued one Jerry McHenry from the court of the Federal commissioner and took him into Canada. A similar rescue in Pennsylvania resulted in the calling out of the marines from the Philadelphia naval yard to assist the marshal. The rescue of a Negro named Shadrack was hailed by Theodore Parker as "the most noble deed done in Boston since the destruction of the tea in 1773." In April the return of one Thomas Sims to slavery resulted in mass meetings and mobs which could not avail to prevent the Federal authorities from placing the fugitive aboard a vessel bound for Savannah. These cases made it evident to the Southerners that the North would not give support to the law of Congress. There was no doubt that Emerson spoke the feeling of the Northern people when he declared the Fugitive Slave Law was "a law which no man can obey, or abet in obeying, without loss of self-respect and forfeiture of the name of gentleman."

This Northern agitation against the Fugitive Slave Law mounted in intensity at the same time that the South was declaring its acceptance of the Compromise of 1850 and a renewed Union movement was turning the Southern States from the ultra-sectional views of the preceding years. In the same year that saw the election of Free-soilers Benjamin F. Wade and Charles Sumner to the Senate, the Southerners were defeating

their more rabid disunionists, retiring Jefferson Davis and other secessionists, and sending Unionists to Congress. Thereafter the Southerners labored in their political parties to commit their Northern allies to accept the Compromise as a finality.

Even after both Whigs and Democrats had accepted the Compromise, continued agitation in Congress kept alive the question of slavery. Sumner lost no opportunity to condemn the Fugitive Slave Law. On August 26, 1852, he declared that the law lacked "essential support in the public conscience of the States where it is to be enforced." William Cullen Bryant declared that "we must make it odious and prevent it from being enforced." Taking advantage of the continued publicity and widespread sympathy, the Underground Railroad extended its secret tentacles further into the South. There was also much agitation concerning the constitutionality of the Fugitive Slave Law. In 1854 the Wisconsin Supreme Court declared the law unconstitutional on the ground that a jury trial was not provided for the fugitives and that the commissioners created by the law were illegally endowed with judicial functions. In 1858 the Supreme court overruled the Wisconsin decision and upheld the constitutionality of the Fugitive Slave Law.

Contributing to the general agitation of the slavery question in the North there came a renewed literary movement. Writers, varying in merit from forgotten abolitionist poets to the literary great of New England, turned to penning indictments of the slave system. Richard Hildreth, the historian, laid aside his story of the United States to write *The White Slave*, a fictional account of the slave pen. Slave songs were popular in the North, among them such metrical lamentations as "Darling

Nellie Gray," playing especially upon the anguished plight of the lover who had escaped from the system which had sent his dusky sweetheart from Kentucky to Louisiana's sugar plantations. Most potent of all the fictional accounts of slavery was Harriet Beecher Stowe's *Uncle Tom's Cabin*. Actuated by high moral purpose and written in a style which appealed to plain people, Mrs. Stowe's work was doubtless intended to be an honest portrayal of the multifarious aspects of slavery. In the portrayal of Southern character, Mrs. Stowe pictured both weakness and strength, while she chose for the villain's role a New England migrant to the South. Culture, refinement, and peace were strangely mingled with murder, cruelty, and violence in pages which ran the gamut of human emotions from hilarious comedy to tragic tears. Measured by its influence and by the permanence of its appeal, *Uncle Tom's Cabin*, as a book or in its various stage versions, must be accounted the greatest literary work of an American writer. According to legend, Lincoln greeted Mrs. Stowe as "the little woman who wrote the book that made this great war." The soldiers who fought under Grant and Sherman had read the book and by a strange and tragic substitution had identified Simon Legree as the typical Southerner.

To the Southerner this refusal of the North to accept either the spirit or the letter of the Compromise was a distinct betrayal of confidence. Southerners took refuge in the contention that the Fugitive Slave Law was an integral part of a sacred compromise and assumed the role of defenders of the Constitution and the laws against Northern disunionism. There was no accurate knowledge of the number of slaves who escaped from the South in the decade after the passage of the Fugitive Slave Law, but

the Southerners read with full credence a pamphlet of 1850 declaring that there were 46,000 escaped slaves living in seven Northern States. The average cost to the South for the preceding 40 years was \$550,000 and the number of runaways was increasing rapidly. Alarmed by this property loss and by the statements of the abolitionists, the Southerners turned to a new defense of slavery.

Already fully convinced that slavery was justified on moral, biblical, historical, and economic grounds, the Southerners listened to the new rationalization which came from the realistic pen of George Fitzhugh of Virginia. With the publication of *Sociology for the South, or the Failure of Free Society* (1854) and *Cannibals All, or Slaves Without Masters* (1857), the defense of slavery turned into an attack upon free society. Slavery was the natural lot of man, according to Fitzhugh, and God and nature had intended men to be slaves. The system of Northern society, a new thing in the history of the world, was highly individualistic, primarily devoted to the acquisition of profits, wherein the weak were exploited for the benefit of the strong. "Free society asserts the right of a few to the earth—slavery maintains that it belongs, in different degrees, to all." Slavery was the only system which took for its primary task the satisfaction of the needs of all, and especially the weak. To Fitzhugh liberty was a fiction, for man could not exist without society, and the great need of man was to be cared for. The Declaration of Independence was founded upon falsehood, for nature had made men slaves to society. "All that law and government can do is to regulate, modify, and mitigate their slavery." In 1857 Fitzhugh carried this doctrine into the North and preached it to potential capitalists in the student bodies of Harvard and



Yale. Nor did Fitzhugh fail to point out to the rising captains of industry that the adoption of slavery would prevent inevitable social revolution.

These aggressive doctrines were given a wide circulation in the Southern press, from which they were copied by the *Illinois State Journal* and found their way into Abraham Lincoln's scrapbook to give a double meaning to his "house-divided" speech. Southern advocates of slavery invaded the North, and Tennessee's "Fighting Parson," W. G. Brownlow, went into oratorical combat with the Reverend Abram Prynne, of Philadelphia, to defend and commend slavery. The Brownlow-Prynne debates, coming at the end of the era, summarized in a convenient textbook all the arguments that Southerners and abolitionists had been developing since the days of Dew and Harper.

The new spirit of Southern aggressiveness manifested itself in two different fields: in a continued agitation for expansion southward, and in an agitation to reopen the slave trade. Perceiving that the North was growing rapidly and that the Northwest territories would soon be converted into States, the Southerners turned their eyes to Cuba. Quitman of Mississippi constantly raised his voice in favor of Cuban annexation, warning Southerners that "if slave institutions perish there they will perish here." As late as 1859 a bill appropriating \$30,000,000 for the purchase of Cuba—and the incidental bribery of Spanish officials—was debated in the Senate.

Less warmly supported by the majority of the Southerners but ardently advocated by a handful of the leaders was the proposal to reopen the African slave trade. The scheme's proponents glibly pointed out that the great resources of the South could not be developed without an

adequate labor supply, that the area of cultivation might be increased, and that if the price of slaves was lowered, the increased demand for land would raise the price and compensate the planters for the losses on slaves. Moreover, and by far the most important argument, was that "it would admit the poor white man to the advantages of our social system, that it would give him clearer interests in the country he loves now only from simple patriotism; that it would strengthen the peculiar institution." In addition, an increase in slaves would increase the South's representation in Congress. So attractive were these arguments that committees of the Louisiana and South Carolina Legislatures reported resolutions favoring reopening the trade, and the Southern Commercial Convention in 1859 pronounced in favor of the scheme. Meantime, with such sentiment binding the hands of the officials, smuggling went on with impunity. Hundreds of Negroes were imported from Africa or Latin America and Southern juries failed to find the masters of slave ships guilty. In 1859 the *Wanderer* landed over 300 Negroes in Georgia, but no efforts were made to stop the illegal traffic.

## 2. THE DRED SCOTT DECISION

In the midst of the agitation in the North over the Fugitive Slave Law and the actual hostilities in blood-flecked Kansas, the Supreme Court delivered its opinions in the case of *Dred Scott vs. Sandford*. Dred Scott was the slave of an army surgeon, Dr. John Emerson, who in 1833 took Scott into Illinois and, a few years later, into Wisconsin Territory. Slavery was forbidden in Illinois by the Northwest Ordinance, and the Wisconsin

Territory was free under the Missouri Compromise. However, in both places Scott was held as a slave. In 1837 Emerson purchased a female slave whom Scott married and who gave birth to one child north of the Missouri Compromise line. In 1838 Emerson took his slave family back to Missouri. In 1842 Emerson died, leaving Scott and his family to his widow, who married, some time later, C. C. Chaffee, an abolitionist congressman from Massachusetts. Scott remained in Missouri, where he was hired out at five dollars a month. Because he was incompetent, he was frequently without a master and depended upon the charity of Henry Taylor Blow, an opponent of slavery. Since the Negro would be less of a burden if he were able to keep his meager earnings, Blow brought suit for Scott's freedom. There were ample precedents in Missouri court decisions for giving freedom to slaves who had returned to the State after residence in a free State. In the first court a decision was given against Scott, but after a rehearing the court decided that he was free. The case was then carried to the Supreme Court, where it took on a political aspect.

At the moment, Senator Thomas Hart Benton was waging a political battle in Missouri against the extreme Southern viewpoints of some of the politicians. In 1847 Benton had challenged Calhoun's resolutions on slavery in the territories, and had become anathema to the proslavery men of his own party. The Whig candidate for Benton's seat in the Senate made a bid for proslavery Democratic support by denying that Congress possessed power to legislate on slavery in the territories. Two judges of the Missouri Supreme Court agreed with this view and planned to co-operate in the movement by

delivering an adverse opinion on Scott's case. However, the expected situation did not develop, and the case was not decided until 1852. Then the court declared that the laws of Illinois and of the territories had no force within Missouri and that Scott was a slave. In giving such a decision the court overruled the precedent already set in eight similar cases.

With this decision Scott's friends decided to bring suit in the Federal courts. To avoid endangering Chaffee's political career, Scott was transferred by a fictitious sale to John F. A. Sandford, of New York, brother of Mrs. Chaffee. On the grounds that he was a citizen of Missouri, Scott brought suit in the Federal courts against Sandford as a citizen of New York. In the circuit court, Sandford pleaded that the court had no jurisdiction, since Scott was a Negro and could not be a citizen of Missouri. The court accepted jurisdiction, and found that Scott was a slave, since his status was fixed by the laws of Missouri and the decision of the Missouri court. The case was then appealed to the Supreme Court.

It had been the hope of some of the Southerners that the question of slavery in the territories might be eventually resolved by court action. In 1859 Vice-President Breckenridge declared that the Kansas-Nebraska Act had "contained the provision that any question in reference to Slavery should be referred to the Supreme Court of the United States, and the understanding was, that whatever the judicial decision should be, it would be binding upon all parties." Soon after the Kansas-Nebraska Act was passed, Montgomery Blair took Scott's case, and in February, 1856, he appeared before the United States Supreme Court. In May the justices considered the case but were unable to decide whether the Federal courts

had jurisdiction. Accordingly, the case was re-argued in December, when a majority of the Court agreed to dismiss the action on the ground that Scott was not a citizen of Missouri. However, it soon became apparent that Justices McLean and Curtis, the one for political and the other possibly for financial reasons, would present dissenting opinions covering the question of slavery in the territories. Chief Justice Taney was then instructed to prepare the opinion of the majority of the Court.

As it turned out, each of the justices wrote opinions. The ablest was the product of Justice Nelson, who had first been instructed to write the majority decision. In his opinion the status of a slave who had returned to a slave State was determined by the courts of the State. Since Scott had been declared a slave by the Missouri Supreme Court, the judgment of the lower Federal court should be upheld. This opinion, however, attracted no notice, and public attention was directed to Taney's opinion, which was generally accepted as the decision of the Court. Taney, a Marylander who was personally opposed to slavery, began his argument with an attempt to prove that a Negro could not be a citizen of the United States. In doing so, he made a distinction between State and Federal citizenship. Then the Chief Justice passed to a discussion of the power of Congress over the territories. Having earlier declared that Scott was not a citizen, he had practically declared that the Court had no jurisdiction. The latter part of his decision was, therefore, *obiter dicta*. The power of Congress to acquire territory, said Taney, carried with it the right to govern the territory. But this power must be exercised within the limits of a Constitution which forbade Congress to take property without due process of law. Since the prohibition against

carrying slaves into the territories deprived the slaveholder of his property rights, the Missouri Compromise was unconstitutional. In opposition to Taney, Justice Curtis wrote the ablest opinion. He destroyed Taney's contention that Negroes could not be citizens by pointing out that they had been citizens of several States at the time the Constitution was adopted. As for the power of Congress over the territories, Curtis found no limitations upon what the law-making body could do. Other opinions agreed with Taney on the question of Scott, but not on the constitutionality of the Missouri Compromise. The only opinion for which a majority could be counted was that a slave's status was to be determined by the State of his residence.

No decision of the Supreme Court was more far-reaching in its effects than the refusal to give Dred Scott his liberty. Contrary to expectations, the Northern people did not respond to Buchanan's advice and acquiesce in the judicial pronouncement. Instead, the Republicans, glad to obtain an issue, hastened to attack the Court, and soon Seward warned that the Court would be changed in order to obtain a reversal of the opinion. On the other hand, the Southern adherents of slavery extension found the decision preferable to "popular sovereignty" and eagerly embraced a doctrine which would guarantee them the right to carry their property into the territories. To Douglas, on the other hand, the decision was a political calamity. Whereas the people of his constituency would support popular sovereignty, they would not endorse the Dred Scott decision. Douglas faced the dilemma of abandoning his Illinois constituents in the hope of Southern support for the Presidency or clinging to his State and losing the South.

## 3. THE PANIC OF 1857

Simultaneous with Fitzhugh's sociological arguments in advocacy of slavery, the economic justification of the institution seemed to receive new proof in the panic of 1857. The settlement of the controversial issues in 1850 seemed to give a new impetus to the spirit of speculation, new gold from the Far West poured into the channels of trade, while in the first half of the decade the settlement of the Midwest went on with renewed vigor. Unhampered by restrictions, banking brought unprecedented profits; prices mounted rapidly; and speculation in railroads, in city lots, and in new industrial projects encouraged the belief that unending prosperity had arrived. Suddenly there came a reversal of public hope: in August, 1857, the Ohio Life Insurance Company of Cincinnati failed, carrying with it a number of banks in the surrounding territory. In New York banks closed their doors to prevent runs. The panic spread to Philadelphia, and soon most of the Eastern banks suspended specie payments. Railroads became bankrupt; mercantile houses withdrew credit from retailers and went down with their customers. With the approach of winter, unemployment grew serious, breadlines appeared in the cities, and ominous warnings of disorders were perceived in marching bands of men demanding various social reforms. Agitators with socialistic or anarchistic panaceas found attentive audiences among the urban unemployed.

Primarily a panic of the cities, the rural regions suffered little from the Panic of 1857. The South, founded upon an agricultural economy, suffered less than any other section. The banks of Kentucky and of New Orleans, thanks to better local regulations, did not close with the

banks of the rest of the country. Moreover, the cotton crop for the year was better than usual and the foreign market remained good. Prices of cotton continued high, and Negroes sold for more than ever before. To the Southerners all this was proof of the superiority of their economic system. "The wealth of the South is permanent and real," proclaimed J. D. B. DeBow, "that of the North fugitive and fictitious." Boastfully the Southerners alleged that the money received for cotton had been the salvation of the North. The entire situation clinched the economic arguments and offered conclusive proof of Fitzhugh's contentions. When the Supreme Court gave judicial sanction to the inviolability of slave property, the various phases of the proslavery argument were complete.

#### 4. THE END OF THE KANSAS STRUGGLE

The Dred Scott case gave the Republican party a new issue. The party entered local contests in 1857 only to lose ground before the conservative Democrats and Know-Nothings. But their insistence upon the unholy character of the Court's decision kept them alive until renewed troubles in Kansas stirred the country against Buchanan and gave a new lease on life to the Northern sectional party.

Buchanan entered office with the Kansas question momentarily quieted by Pierce's and Geary's belated firmness. The Democratic party pledged itself in its 1856 platform to hold an impartial election in the territory, while the enabling act sponsored by Toombs in the previous July had provided for an election. Although Seward admitted that the Republicans were opposed to a fair



election—"I recognize no equality in moral right or political expediency between slavery and freedom . . . I do not think it wise, just or necessary to give the people of a territory . . . the privilege of choosing"—the people of the country had approved the Democratic promises of an impartial election. The appointment of a fair-minded governor and the holding of a free and honest election would have satisfied the people. Unfortunately, Buchanan did not fulfill his promises of fairness.

The new President's first action in regard to Kansas was to replace Geary with ex-Secretary Robert J. Walker as governor. Walker was thoroughly honest and was committed to the policy of an impartial application of the principles of popular sovereignty. Before he arrived in Kansas, however, the territorial legislature had fixed the date for the election to a constitutional convention and the territorial secretary had apportioned the delegates so that the proslavery regions would dominate the convention. Accepting the situation, Walker appealed to the free-State men to participate in the election, but the Northern settlers refused to vote. As a result, all the delegates to the convention were proslavery. Only after this election were the free-State men convinced of Walker's impartiality. They then took part in a territorial election and succeeded in gaining control of the territorial legislature. This result caused Southerners to denounce Walker as a traitor to the South, and newspapers proposed that the forthcoming constitution should be declared in effect without submitting it to a popular vote.

The constitutional convention assembling in Leecompton lost little time in drafting a patchwork constitution for the proposed State. Knowing that a free submission of the slavery question would be defeated by the free-

State majority, the convention resorted to subterfuge to establish slavery. The constitution was to be submitted to the people, who were to be allowed to vote "For the Constitution with Slavery," or "For the Constitution without Slavery." The slavery provisions were embodied in a special article which might, therefore, be rejected by the people. Even if the vote should be "For the Constitution without Slavery," however, other clauses in the document would protect slave property already in the territory. In either case, Kansas would become a slave State.

Even aside from the chicanery of this proposition, there was a division between North and South over the methods by which the constitution should be adopted. While Northerners were accustomed to having their State constitutions submitted to a popular vote, Southerners, farther removed from the democratic ideal, were familiar with the practice of declaring new constitutions in effect without popular ratification. The difference in constitutional practice intensified the attacks which Southerners in and out of Kansas leveled against the constitution. To Northerners the method, involving both a trick and denial of democracy, was doubly odious.

Walker himself deplored the actions of the convention and hastened to Washington to persuade Buchanan to repudiate the fraud. But Buchanan had filled his Cabinet with Southerners, and these, with the support of Southern leaders in Congress, persuaded the President to accept the Lecompton constitution. In a message submitting the constitution to Congress, the President declared, "Kansas at this time is as much a slave State as Georgia and South Carolina." The rejection of the

constitution would be "keenly felt by the Southern States." With this development Douglas separated from the administration. Fully devoted to the principles of popular sovereignty, the Illinois Senator saw a denial of its principles in the submission of a constitution in an election where an adverse vote was not possible. Calling at the White House to protest, Douglas was informed that his opposition would bring the enmity of the administration. "Mr. Douglas," said President Buchanan, "I wish you to remember that no Democrat ever differed from an administration of his own choice without being crushed." Indignantly Douglas replied, "Mr. President, I wish you to remember that General Jackson is dead."

In the Senate, the Committee on Territories brought in three reports. A majority report, signed by the Democratic members, declared that the free-State men did not have a majority of the people. Free-soilers on the Committee condemned the "border ruffians" and denied that a legal territorial government existed in Kansas. Douglas brought in a separate report declaring that the Lecompton constitution was not the work of the people or an expression of their will. In the debates which followed, Toombs declared that "this question involves the honor, rights, and safety of fifteen States, to whom the principle involved is of higher value than the Union itself." The power of the administration was sufficient to get the bill through the Senate, but the House failed to pass it. Eventually a conference committee agreed upon a bill presented by William H. English which offered the Kansans public lands if they would accept the constitution but provided that the people should wait for statehood until they had sufficient population to elect a representa-

tive to Congress if they rejected the constitution. The constitution was to be submitted to a vote which would allow a negative vote on the entire document.

When the Lecompton constitution was submitted to the people of Kansas, on December 21, 1858, the free-State men refused to vote. The returns showed 6,226 for the constitution with slavery and but 569 for the constitution without slavery. Over 2,700 of the majority votes were fraudulent. There was little doubt that those participating in the election were a minority of the people. In January the free-State men, acting under a law of the territorial legislature, went to the polls to cast 138 votes for the constitution with slavery, 24 for the constitution without slavery, and 10,226 against the constitution. The combined vote showed a majority against the constitution. The following August, the question was re-submitted with the English Bill dangling before the territory's land speculators. The vote showed 1,926 were in favor of accepting the constitution and the bribe while 11,812 were opposed. The returns brought the Kansas struggle to an end, but the question had already served to upset political parties, to ruin the political ambitions of many men, and to intensify the hostility between the sections.

## 5. THE LINCOLN-DOUGLAS DEBATES

The most significant political effect of the Lecompton question was to bring Senator Douglas into opposition to the administration. During the Congressional debates, the Southerners used every effort to discredit the "Little Giant" before the country. At the same time, he was deprived of his patronage, and his supporters, both in

Illinois and in other States, were turned out of their places. Douglas himself bore the brunt of the fight against the Lecompton "swindle." Republicans, who saw Douglas fighting their battle, gave him little help. Eastern Republicans such as Horace Greeley and Henry Wilson, however, regarded Douglas as a potential convert for their party and advised the Illinois Republicans not to contest Douglas's re-election in 1858. But the Republicans of the West saw clearly that Douglas was still struggling for popular sovereignty and was still a Democrat on all important issues. Although he might quarrel with Buchanan, he was none the less an opponent of the Republican party. Accordingly, they prepared to enter the campaign against him, hoping that the schism in the Democratic ranks would give them the victory.

Despite the opposition of the administration and the wholesale removal of Douglas's office holders, the Senator had sufficient influence over the Illinois Democracy to secure his renomination. Southerners denounced his actions and declared that Douglas was a traitor to the party. Administration supporters organized an anti-Douglas ticket to divide the vote. But even with the Democrats split, there were no Republicans who cared to enter the lists against the redoubtable orator. Finally, Abraham Lincoln was chosen for the doubtful honor of running in a race which gave every promise of defeat.

Public interest centered in Illinois during the Congressional elections of 1858, and Democrats and Republicans hung on the words of Lincoln and Douglas as the campaign progressed. In accepting the nomination, Lincoln declared his opposition to slavery and its extension. "A house divided against itself cannot stand," he announced, "I believe this government cannot endure per-

manently half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect that it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward till it shall become alike lawful in all the States, old as well as new—North as well as South.” Carefully Lincoln had prepared the people of Illinois for this contingency. He had read Fitzhugh’s arguments for the spread of slavery and he had diligently culled Southern newspapers for aggressive statements on slavery extension. Reprinted in the *Illinois State Journal*, these items had made his audience aware of the real danger that “we shall awake to the reality . . . that the Supreme Court has made Illinois a slave State.”

Against this viewpoint Douglas made laughing attack. “Mr. Lincoln,” said Douglas, “. . . invites all the non-slaveholding States to band together, organize as one body, and make war upon slavery in Kentucky . . . upon slavery in all of the slaveholding States in this Union. . . . He then notifies the slaveholding States to stand together as a unit and make an aggressive war upon the free States of this Union with a view of establishing slavery in them all. . . . In other words, Mr. Lincoln advocates boldly and clearly a war of sections, a war of the North against the South.”

After this opening declaration of principles, the two candidates began a tour of the State. Well supplied with money and supported by the railroads, Douglas waged a campaign of dramatic effectiveness. A special car was hitched to the trains for his convenience, and a small

cannon mounted on a flat car heralded his arrival in a town. Lincoln's campaign was hampered by a lack of funds, his travelling arrangements were more modest, and he was seldom able to attract the crowds which listened to his rival. However, the Republican press carried long accounts of his speeches and insistently demanded that Douglas answer the questions which Lincoln propounded. Eventually, Douglas was constrained to accept Lincoln's challenge to a series of seven joint debates.

In the second of the debates, at Freeport, Lincoln proposed four questions to Douglas, the most important being: "Can the people of a United States Territory, in any lawful way, against the wish of any citizen of the United States, exclude Slavery from its limits prior to the formation of a State Constitution?" Douglas was faced by this question with an acceptance of the Dred Scott decision. Unable to repudiate Taney's opinion, lest he should lose the South, or to accept it for fear of losing support among Illinois adherents of popular sovereignty, Douglas replied in words which, while doing credit to his own realism, were also an effort to hold both groups of possible adherents: "I answer emphatically as Mr. Lincoln has heard me answer a hundred times from every stump in Illinois, that in my opinion the people of a Territory can, by lawful means, exclude slavery from their limits prior to the formation of a State Constitution. Mr. Lincoln knew that I had answered that question over and over again. . . . It matters not which way the Supreme Court may hereafter decide . . . the people have the lawful means to introduce it or exclude it as they please, for the reason that slavery cannot exist a day or an hour anywhere, unless it is supported by local police regulations. Those police regulations can only be

established by the local legislature; and if people are opposed to slavery, they will elect representatives to that body who will by unfriendly legislation effectually prevent the introduction of it into their midst." The enunciation of the "Freeport Doctrine" saved Douglas in Illinois. The legislature elected in 1858 was Democratic and sent Douglas back to the Senate. But the South preferred the Dred Scott decision to popular sovereignty as Douglas interpreted it and prepared to defeat the Presidential aspirations of the "Little Giant."

Outside of Illinois the elections of 1858 went against the Democrats. The Lecompton constitution and the Dred Scott decision had been widely condemned. New England went Republican; and in Ohio, Indiana, Michigan, and Iowa the party gained ground. In New York the governorship and three-fourths of the congressmen were of the new party. In Pennsylvania, the Republicans, Know-Nothings, and anti-Lecompton Democrats entered into a fusion which placed the tariff by the side of slavery as a campaign issue. The iron industry suffered heavily in the Panic of 1857, and iron manufacturers blamed the Democratic tariff. The fusion majority of 20,000 sealed the tariff as a cardinal Republican doctrine.

## 6. JOHN BROWN AND H. R. HELPER

The short session of Congress which followed the elections of 1858 constituted a sounding board for the sectional partisans. Republicans would control the next Congress and had more than an even chance of gaining the Presidency in 1860. In spite of the aid which popular sovereignty and the Dred Scott decision had given them, the aggressive efforts of the Southerners to expand slavery



had failed. With the coming of the Republicans to power, the Southerners would lose control of the Government. Henceforth, the South faced the desperate alternative of secession or of remaining in a subordinate position in the Union. Preferring secession, Southerners defeated a bill to appropriate money for a Pacific railroad. "I am unwilling to vote so much land and so much money to build a railroad to the Pacific, which, in my judgment, will be created outside of a Southern Confederacy," explained a Georgian who believed that the Southern States would soon "be compelled in vindication of their rights, interests and honor, to separate from the Free States." A homestead bill, long anathema to the Southerners, was rejected in the Senate, where the members turned to a proposal to appropriate \$30,000,000 to purchase Cuba.

A new outbreak of the territorial question arose when an abolitionist proposed to repeal the English Bill and admit Kansas. Southerners revealed that they were prepared to demand a Congressional slave code for the territories if one of them, in accordance with the Freeport doctrine, should pass "unfriendly legislation" against slavery. Douglas ignored Southern support to reaffirm his adherence to popular sovereignty. Jefferson Davis informed Douglas that Mississippi would never vote for him, for the Freeport doctrine was offensive to the laws of the United States and destructive of sectional peace.

Before the Republican Thirty-Sixth Congress assembled in the winter of 1859, the country had been aroused to the highest pitch of excitement by the abortive raid of John Brown on Harpers Ferry, Virginia. The unsettled condition of Kansas had prevented Brown's arrest for the murders at Pottawatomie, and he had wandered freely about the Northern States. In many respects Brown was

the embodiment of the most fantastic ideas of the Northern abolitionists. Deeply religious, he had concluded that the sin of slavery should be washed away with the blood of the Southerners. So believing, he had concocted a scheme so bizarre as to cast doubts on its author's sanity, yet he enlisted the moral support of many abolitionists and obtained money from such men as Samuel G. Howe, George L. Stearns, and F. B. Sanborn. In 1858 Brown made a raid into Missouri, where he rescued 11 slaves and stole a number of horses. In May, 1858, he gathered several of his followers into a "constitutional convention" at Chatham, Canada, where a "Provisional Constitution and Ordinance for the United States of America" was adopted, and offices were parceled out among his handful of disciples. In June of 1859, equipped with funds supplied by his New England backers, Brown leased a farm near Harpers Ferry, which he stocked with arms for his coming expedition. Seemingly his scheme was to seize Harpers Ferry and hold it as a base of refuge for the slaves of the surrounding region, who were expected to murder their masters and hasten to this new-found haven.

On October 16, Brown led the army of his new republic against the hill-encircled town. With 18 men he descended on the sleeping village and seized the railroad bridge and the United States arsenal. With his 30 prisoners, he established himself in the arsenal while a portion of his followers went into the country to arouse the slaves. One group was especially instructed to bring General Washington's sword from the near-by estate of Bushrod Washington, nephew of the first President. The raiding groups soon met failure. There were few slaves in the mountainous country near Harpers Ferry, which was far removed from the plantation area. No Negroes

joined Brown, although some, notably those belonging to Bushrod Washington, were brought to Harpers Ferry by force.

The end of this fiasco came on October 18, when Colonel Robert E. Lee and Lieutenant J. E. B. Stuart arrived from Washington with a detachment of marines and besieged Brown in the arsenal. After a battle in which two of Brown's sons were killed, the raiders surrendered. On October 25 a grand jury indicted Brown for treason and waging war against the Commonwealth of Virginia.

But for the excitement which these events inspired in North and South, John Brown's raid would have been but a comic-opera war. In the weeks that followed, Brown himself seemed the calmest man in the Nation. Convinced of the righteousness of his actions, welcoming the martyrdom which came to him, Brown bore himself with dignity while the Nation engaged in a riot of extravagance. To abolitionists who could see no harm in an attempt to rescue slaves and who could even condone incidental murder, Brown was a martyr in a holy cause. To Emerson, Brown's gallows seemed comparable to the cross of Christ; and the Massachusetts Legislature proclaimed the day of the martyr's death a day of prayer. In the South equal excitement prevailed. Governor Henry A. Wise of Virginia was panic-stricken, calling out the militia and the cadets of the Virginia Military Institute to protect the State. No one seriously thought of consigning Brown to an asylum for the insane, and Southerners trembled in the belief that Brown was but the advance guard of armies which would come in to "excite insurrection—apply the midnight torch—rob and murder." The lesson that the slaves would not arise at the behest of incendiaries was lost upon a people who shivered at the

fear of being murdered in their sleep. Sanity was at a premium in both North and South, and the Northern approval of Brown's murderous attempt gave impetus to the secessionists of the South.

The aroused sectional spirit found immediate expression in the Congress which assembled just as John Brown was going to the gallows. Resorting to strategy to prevent the Republicans from organizing the House, the Southerners raised the sectional issue. A Missouri member brought in a resolution that no man could be speaker who had endorsed Helper's *Impending Crisis of the South, and How to Meet it*. Since John Sherman, of Ohio, the leading Republican candidate, had endorsed a "Compendium" of this book, he was defeated for the office, while a debate over the slavery question prevented the election of a speaker until February 1, when a moderate Republican of New Jersey was selected. The debates gave new opportunity for the expression of violent Southern sentiments and for renewed threats of a dissolution of the Union.

The book which was used as the occasion for this debate was written by Hilton Rowland Helper, a member of the yeoman class of North Carolina. Intended not as an indictment of slavery but as a condemnation of Negro labor, Helper attempted to show that the presence of the Negro in the South prevented the section from keeping pace with the rest of the Nation. The material for Helper's arguments was found in the Census of 1850, from which he drew startling comparisons between North and South. Taking States in pairs—New York and Virginia, Massachusetts and North Carolina, Pennsylvania and South Carolina—the author showed that whereas these States had had approximately equal wealth and population in

1790, in each case the Northern State had surpassed the Southern. Part of Helper's effectiveness was due to his carefully selecting his pairs, but the force of his argument was great. Especially striking were his statistics to show that the hay crop of the North exceeded in value the total returns of Southern cotton, tobacco, and rice. To meet this situation, Helper proposed the gradual elimination of Negro slavery in favor of free white labor. In addition, he declared that the slaveholder owed the poorer whites the sum which slavery had cost the section.

Perhaps it was Helper's defense of the poor whites rather than his attacks on the Negroes which disturbed the Southern leaders. Unable to gainsay his figures—the Census of 1850 had been compiled under the direction of J. D. B. DeBow—the Southerners took advantage of the use which Republicans had made of the book in the pending campaign to discomfit their enemies. Yet there were valid arguments against Helper's statistics. Since 1850 the price of cotton and of slaves had risen in the South, and the section had survived the Panic of 1857 so much better than the North that few of Helper's statements still had validity. The use of the book as a campaign document, however, the Southerners rightly regarded as another attack on the South. Of more significance politically than as an economic study, Helper's *Impending Crisis* did much to hasten the sectional conflict.

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## CHAPTER XVI

### THE END OF THE UNION

#### 1. SOUTHERN PREPARATIONS

**T**HROUGHOUT the congressional session of 1859-60, nothing was accomplished beyond drawing the sectional lines closer together. The eyes of all men were upon the approaching Presidential election. A decade before, political parties with memberships from all sections had served to keep the Union together, but the Whig party had disappeared and a sectional party had taken its place. The Democratic party was torn by internal dissensions along sectional lines, and the struggle between Southern and Northern men for the control of it bore promise of breaking the last political tie holding the Union together. In Congress and in the States, Southern leaders were busily preparing to commit the Democratic party to a Southern program.

As a result of Buchanan's quarrel with Douglas, the machinery of the Democratic party was in the hands of Southerners and their "doughface" allies. Secure in their hold on the organization, the Southern Democrats prepared to drive Douglas from the party. On February 2 and March 1, 1860, Jefferson Davis introduced resolutions looking toward a congressional slave code for the territories. Beginning with a reiteration of the Southern theory of State sovereignty, Davis declared that it would be the duty of Congress to resist any discrimination in the



territories against the people and property of any State. He denied the validity of the Freeport doctrine and announced that Congress should furnish a remedy for any unfriendly legislation by a territorial legislature. Only when the inhabitants of a territory formed a State constitution could they exclude slavery. These resolutions embodied the position of the Southern extremists, but Douglas was warned that he must accept them or lose the votes of the South. On May 24, as the Congressional session was drawing to an end, the Senate adopted Davis's resolutions.

While Democrats in Congress were formulating their demands, their party colleagues in the South were organizing for the coming election. "Southern rights" men were in control of the party machinery in the States. In Alabama, William L. Yancey had control of the party. For a number of years Yancey had been agitating for an aggressive Southern program. In 1847, extremists had forced the Democratic party of the State to demand Congressional protection for slavery in the territories, and they had never lost control of the party organization. In 1858, Yancey formed the League of United Southerners, designated to work in all parties for the rights of the South. Although there were never more than 75 members of this league and it was accounted a failure as an organization, the spirit which it represented continued to grow. In South Carolina, too, the more ardent "Southern rights" men controlled the State. In December, 1859, the South Carolina Legislature proposed a convention of the slave States in order to formulate a united program. The resolutions were offered in the legislature by C. G. Memminger, who had long been accounted a conservative. Memminger himself went to

Virginia to induce the Old Dominion to co-operate. Addressing the legislature on January 17, he pointed out that in 1851 Virginia had urged acceptance of the Compromise of 1850, and South Carolina had reluctantly followed that advice. But the Compromise had failed to secure the rights of the South, and a new movement, following South Carolina's program, was necessary. The elections of 1859 in Virginia preceding John Brown's raid had resulted in the election of John Letcher in a contest involving the extreme Southern view. Letcher was from the Valley; he had formerly been an opponent of slavery and his support was drawn from the western counties, which also controlled the legislature. The Virginians were not ready to participate in a Southern movement, but the legislature adopted resolutions declaring that 16 Northern States were united in a conspiracy against Southern institutions, recommending an increase of the militia, and suggesting commercial nonintercourse with the North; but no delegates were sent to the proposed conferences.

Mississippi agreed with South Carolina and called a conference to meet at Atlanta, but the other States followed Virginia's example of fiery resolutions and inaction. In Alabama, however, the Southern extremists were taking action. Governor A. B. Moore told his legislature that in the event of the election of a Republican in November he would call a State convention. In the Democratic convention, assembled to select delegates to the national convention, Yancey succeeded in getting his views endorsed. The Alabama platform, which the State's delegates were ordered to insist upon at Charleston, demanded protection for slavery in the territories, declared it the duty of Congress to open the territories

to slaveholders, denied that a territorial legislature could exclude slavery, and endorsed the Dred Scott decision. In addition, the platform asserted the compact theory of the Constitution. Should these resolutions not be acceptable to the national convention, Alabama's delegates were ordered to withdraw from the meeting. The Alabama platform was immediately endorsed by South Carolina, Louisiana, Mississippi, Florida, Texas, and Arkansas, and the delegates from these States prepared to follow Yancey.

## 2. THE DEMOCRATIC DIVISION

The Democratic national convention met in Charleston on April 23. The selection of a place was itself a tribute to the strength of the Southern elements of the party. Yet in the convention there were a sufficient number of Douglas supporters to control the convention's action and to prevent the nomination of anyone not acceptable to the Illinois Senator. The fact that the nucleus of the Douglas support came from States which gave every promise of voting Republican in November did not prevent an attempt to force Douglas's will on the party. A contest between two groups of New York Democrats, one representing the Douglas wing and the other the Buchanan officeholders, was settled in favor of the Douglas men. An attack on the unit rule resulted in a modification which the Southerners regarded as a trick to give Douglas more votes.

The platform committee, reporting on April 27, showed a hopelessly divided party. Unable to agree in committee, three platforms were reported to the floor of the convention. The majority platform, with the support of the slaveholding States, declared that Congress was obli-

gated to protect slavery in the territories, while the principal minority report repeated the evasion of the Cincinnati platform of 1856 by declaring that "all questions in regard to the rights of property in states or territories . . . are judicial in their character" and pledging the party to adhere to a decision of the Supreme Court. The third report, signed only by Massachusetts's Benjamin F. Butler, endorsed the Cincinnati platform without comment. To the Southerners the minority report was a dishonest subterfuge, for the Supreme Court had already acted and the time had come for congressional action. On the other hand, it was evident that the Southern platform could not carry the North while the Douglas platform might make headway. Southerners were therefore reduced to the position of asking Northern Democrats to give up the chances of success at the polls for an abstraction. "Ours is the property invaded, ours are the institutions which are at stake," declared Yancey as he pleaded for a recognition of Southern rights. But the convention adopted the minority platform.

As soon as the vote was taken, Yancey led the Alabama delegation from the convention. Then the delegations from Mississippi, Louisiana, South Carolina, Florida, and Texas withdrew, and part of the Arkansas and Delaware delegations followed them. Georgia withdrew the following day. After the withdrawals, the convention attempted to make a nomination, under the chairman's ruling that two-thirds of the original membership was necessary for a choice. After 57 futile ballots, the convention adjourned, May 3, to meet in Baltimore on June 18. Meantime the States were asked to fill their delegations.

The seceding members of the Charleston convention assembled to determine a program of their own. Upon the adjournment of the regular convention, these bolters called a meeting for June 11 in Richmond. They too prepared to appeal to the party in their States.

Within the seven States whose members had seceded from the convention, the Democrats faced the problem of taking action. There was still a possibility that the Baltimore meeting would accept the so-called "Tennessee Resolution," which expressly confirmed the Dred Scott decision. If this were done and a candidate selected who would give a Southern interpretation to the platform, the South would have no need for a separate party. In Alabama, over Yancey's protest, the Democrats sent their delegation back to Baltimore, while the Douglas men effected an organization and sent a contesting delegation. Louisiana also sent a contesting delegation, representing Pierre Soulé's faction of the party, although the regular party reaffirmed the action taken at Charleston and a mass meeting of the business men of New Orleans endorsed the "Southern rights" program. Texas, Arkansas, and Georgia returned their delegates to Baltimore, while South Carolina instructed her delegation to attend to the Richmond meeting.

The Richmond meeting on June 11 accomplished nothing. Only South Carolina's delegates were officially accredited to it, and after two futile days the convention dissolved with all the delegates except South Carolina's going on to Baltimore. The possibility that the Tennessee Resolutions, with a Southern interpretation, would be adopted had disappeared when Douglas had announced that it was not adverse to popular sovereignty. Douglas's

supporters had given a further blow to hopes of reuniting the party by declaring that the seceders from Charleston would not be restored to their seats. The convention was controlled by Douglas's supporters, who made short shrift of the Charleston bolters, who in most cases, were denied seats in favor of the contesting delegations. Upon this action, the Virginia delegates withdrew from the convention, followed by those from North Carolina and Tennessee. Other delegations and individual members withdrew, until only 13 States were left with full delegations. The remaining members were all enthusiastic for Douglas, but they represented less than two-thirds of the original membership. A trick solved the problem of how to nominate Douglas without the customary Democratic majority. By counting delegates who had withdrawn but who were still in the hall as voting for Douglas, the convention succeeded in obtaining a two-thirds majority for the Little Giant. Hershel V. Johnson, a Georgia Unionist, was nominated for Vice-President.

On June 23 the delegates who had withdrawn from the convention, together with those who had been refused seats, held a meeting in Baltimore. Caleb Cushing, of Massachusetts, who had presided over the Charleston and Baltimore meetings until his own withdrawal, was made chairman of this new convention. Declaring themselves the true representatives of the Democratic party—and outnumbering those who had nominated Douglas—they proceeded to make nominations. The platform adopted was the rejected majority platform of Charleston. Vice-President John C. Breckenridge of Kentucky and Joseph Lane of Oregon were offered to the country in opposition to Douglas and Johnson.

## 3. CONSTITUTIONAL UNIONISTS AND REPUBLICANS

In the interval between the Charleston and the Baltimore meetings of the Democrats, two other conventions were held. The Constitutional Union convention met in Baltimore on May 9, and the Republicans assembled in Chicago on May 16, 1860. The Constitutional Union party was composed mostly of old Southern Whigs who were still devoted to the Union-saving program of their defunct party and the elements of the Know-Nothing party who were unable to unite with the Republicans. The keynote of the convention was struck by the opening speaker, who pronounced slavery in the territories a "miserable abstraction." The assembled delegates from 24 States were intent upon continuing the old Whig practice of refusing to face the slavery issue. The platform was summarized in a slogan: "The Constitution of the country, the Union of the States, and the enforcement of the laws." Yet it contended for the rights of the States in a manner acceptable to the South. Although the leaders of the party did not deny the ultimate right of secession, they opposed the disunion tendencies which were everywhere apparent. For President they nominated John Bell of Tennessee and chose Massachusetts's gifted orator, Edward Everett, for their Vice-Presidential candidate. This ticket offered Southern Unionists a political program and appealed to the patriotic sentiments of men everywhere who were not intent upon dissolving the Union for partisan reasons.

When the Republicans assembled in Chicago, it seemed evident that the Democrats would heal their quarrels and nominate Douglas. That prospect made the candi-

dacy of Abraham Lincoln more potent than any of the rival aspirants for the nomination had thought. Unlike the Democrats, the Republicans were united in purpose and had a large number of candidates who could well represent the unified sentiment of a sectional party. The meetings, held in a specially constructed "Wigwam," were crowded with enthusiastic Illinois spectators, who almost outnumbered the accredited delegates. Without dissent, the convention adopted a platform announcing the adherence of the party to the equalitarian principles of the Declaration of Independence, its devotion to the Union, and its observance of the rights of the States. It condemned the disunionists among the Democrats, opposed the "lawless invasion by armed force of the soil of any State or Territory," and excoriated the Buchanan administration for its course on Kansas. The "new dogma" that the Constitution carried slavery into the territories was pronounced "a dangerous political heresy," and the convention declared "that the normal condition of all the territory of the United States is that of freedom." It therefore denied "the authority of Congress, of a territorial legislature, or of any individuals, to give legal existence to Slavery in any Territory of the United States." Moreover, the convention went on record in favor of a protective tariff, a homestead policy, liberal naturalization laws, and appropriations for rivers and harbors and a Pacific railroad.

Such a platform represented the interests not only of the ardent abolitionists, but also of the small farmers of the West and the industrialists of Pennsylvania. In every respect, it was a Northern platform in opposition to all of the things for which the South had stood since the formation of the Constitution. Willing to run on so violent



an anti-Southern platform were at least a dozen prominent Northern politicians, including Seward, Chase, Frémont, Sumner, and a host of favorite sons. Seward was the leading contender, but the first ballot showed surprising strength for Lincoln. Upon the third ballot, Lincoln was nominated, with Hannibal Hamlin of Maine as a running mate.

#### 4. THE CAMPAIGN OF 1860

Abraham Lincoln was the least radical of the leading candidates before the Republican convention. He was no abolitionist, and although he was not in favor of the extension of slavery to the territories, he was convinced that the National Government had no power to interfere with slavery in the States. He had, however, condemned slavery, and Southerners were inclined to read the worst interpretation into his remarks. For political reasons, no Southern orator could fail to point out the inherent danger which the Republican success involved. Although the more radical wing of the Republicans pointed out that John Brown's raid had been condemned, and while the harsher views of the abolitionists had been kept from sight, Southerners regarded this as an election trick. Fundamentally, the South was afraid that the election of a Republican would be but the first step in the abolition of slavery. Helper's *Impending Crisis* made its reappearance as a campaign document, accompanied by a brochure on *The Barbarism of Slavery* from the vitriolic pen of Charles Sumner. Southerners were easily convinced that these, rather than the mild and conciliatory words which came from Lincoln, represented the real sentiments of the Republicans. With the elevation of the Republicans, a

process would begin by which no more slave States could enter the Union. The multiplication of free States from the Western territories would eventually make possible a majority sufficient to amend the Constitution to abolish slavery. In the meantime, the failure of the Government to enforce the Fugitive Slave Law would "abolitionize" the Border States and reduce the price of slaves in the lower South. Governors of States, political leaders, and slave owners generally agreed that the election of a Republican would be cause for dissolving the Union.

Deeper observers saw more than the abolition of slavery in Republican victory. The economic ideas of the Northerner—internal improvements, homesteads, and a protective tariff—were as obnoxious to the South as was abolitionism. Jefferson Davis had earlier charged the Free-soilers with wanting to make the Government into "an engine of northern aggrandizement," which "by an unjust system of legislation" would "promote the industry of the New England States, at the expense of the people of the South and their industry." His fellow Mississippian, Reuben Davis, saw that "there is not a pursuit in which man is engaged (agriculture excepted) which it not demanding legislative aid to enable it to enlarge its profits and all at the expense of the primary purpose of man—agriculture." From Pennsylvania came confirming echoes of a contest in which the Republicans were promising protection for industry, and from the West came the news of the vigorous campaign which Carl Schurz was making among the Germans who favored a homestead law. Constitutional Unionists agreed with Southern Democrats that the South should secede rather than submit to the "humiliation and degradation" of Lincoln's inauguration.

Convinced that Republican success spelt doom to their

section, the Southerners could not regard Douglas as preferable to Lincoln. Douglas's Freeport doctrine and popular sovereignty would keep slavery out of the territories as effectively as would the Republican program. The supporters of the Illinois Senator, however, carried their fight into the South, charging the Breckenridge Democrats with plotting to break up the Union and presenting themselves as the only hope for its preservation. Constitutional Unionists agreed with the Douglas Democrats on the charges of a Breckenridge conspiracy, but were convinced that only Bell's election could prevent disaster. Some observers throughout the country hoped that the election might be thrown into the House of Representatives.

The election returns showed that the South was united against Lincoln. The Republican candidate polled but three per cent of the total vote of the South, and that in such disaffected sections as Western Virginia and parts of the Border States. Douglas had little Southern support, receiving but 72,084 out of a total of 856,524 votes cast. Breckenridge received a clear majority of the Southern vote, although he lost the Border States of Virginia, Kentucky, and Tennessee, which voted for Bell. Bell polled 34 per cent of the vote of the lower and 45 per cent of the upper South. The total vote against Breckenridge in the South revealed that a majority of Southerners were opposed to the extreme position which his party took. Of the South's electoral votes, Breckenridge received 72 and Bell 39. In the country at large, Lincoln received 1,857,610 popular votes against 1,365,976 for Douglas and 590,631 for Bell. Although Lincoln had a minority in the popular vote, he received 180 electoral votes. These votes were so distributed that, had Douglas

received all of Bell's and Breckenridge's votes, Lincoln would still have had the majority of the electoral college. While it was evident from the returns that the South preferred the Union to secession, it was also apparent that the majority of the Northern people were unwilling to endorse the extreme proposals of the Republicans. In the House of Representatives the Republicans would be in a minority of 21, and in the Senate their opponents had a narrow majority of eight votes.

### 5. THE SOUTHERN REACTION

The election of Lincoln shocked if it did not surprise the South. Throughout the campaign, Southern leaders had freely asserted that such an event would justify immediate secession. The nature of the situation had precluded the formulation of a positive program for action before the election. After it, there were several problems to face.

First of the problems before the South was that of deciding whether Lincoln's election was an attack upon Southern institutions. Lincoln himself had taken pains to assure Southerners that he was no abolitionist and had asserted his willingness to guarantee slavery where it existed. Certainly, although it was possibly not known in the South, he had told his party colleagues that he favored the enforcement of the Fugitive Slave Law. Lincoln's only hostility was to the extension of slavery in the territories. Moreover, moderate men and devoted Unionists pointed out that Lincoln's hands were effectually tied by a hostile Congress. With the Republicans in a minority in House and Senate, no element of the Republican legislative program could be enacted, and even the Presi-

dent's appointees need not be confirmed by the Senate. For at least two more years, no step could be taken against the South. After two years of Presidential ineffectiveness, the people of the North would have lost confidence in a President who had, at best, but a minority vote in his favor.

Despite these arguments, there was widespread agreement among Southern political leaders that Lincoln's election was a threat to Southern property. Essentially conservative, the Southerners were convinced that the North was contemplating an attack on the institution which was basic to Southern society. Fundamentally, the Northerners were industrialists, foreseeing a society in which slavery would have no place. The victory of the Republicans, with tariffs for manufacturers and land for the landless, endangered the Southern agricultural economy. The personal liberty laws, the failure to enforce the Fugitive Slave Law, the persistent propaganda of the abolitionists, and John Brown's raid were attacks upon the South, and the Republican party had been founded upon these assaults. Grown sensitive under a long series of attacks, the Southerners saw in Republican victory a menace to Southern institutions which transcended in significance the personal opinion of Abraham Lincoln.

Although the imminence of an attack upon slavery seemed obvious to extreme "Southern rights" men, the leaders faced the problem of getting unified action from a section which was by no means an economic or social unit. The masses of the Southern people were not slaveholders. Of the 8,039,000 white persons in the South, there were but 384,884 slaveholders, and few of them had sufficient investment in slaves to be accounted mem-

bers of the dominant planter class. Yeomen with but one or two slaves and the great mass of poor whites were not subject to great economic loss if slavery should eventually be abolished. The life of the small farmer of the South differed but little from that of the small farmer of the West. Yet these people were without organization and without a leadership from their own class. Dominated by the planter-politicians in politics and absorbing the planter's social philosophy in lieu of any other, they could be counted upon to follow the leaders in whom they had trusted so long. The poor whites were but little removed from the slaves, either economically or intellectually, and the threat of coming into immediate competition with emancipated blacks made them support a system which at least gave them a feeling of being socially superior, free persons. Ignorance of Northern institutions and customs was a potent force in keeping these classes loyal to the South.

But the Southern leaders themselves were not a unit in favor of secession. The Bell and Douglas votes indicated that a majority of the people preferred the Union to disunion. Moreover, there was disagreement between economic interests and sectional groups which made the task of unified action difficult. The upper South feared that the lower States would reopen the foreign slave trade and destroy the profits which the border slave States reaped from the traffic. The free-trade proclivities of the cotton planters clashed with the protectionist desires of the sugar growers. In New Orleans and other cities along the Mississippi much of the commercial wealth came from trade with the Mississippi Valley States in the Northwest. These elements differed from the yeoman farmers and the poor whites in that they were articulate and had possessed

a political organization which had forced acceptance of the Compromise of 1850.

To all of these moderate elements it seemed that Lincoln's election was not in itself an overt act against the South. Some of them favored co-operation among the Southern States in order to obtain guarantees against further aggression; others favored waiting until assurances of foreign assistance could be obtained; while still others believed that attacks upon slavery would be intensified if the South should secede. All of them agreed that co-operation between the States should precede action.

This attitude on the part of Unionists and "co-operationists" was overcome by the secessionists through hasty action. The lesson of 1850 was constantly in the minds of the leaders who favored secession. In 1850 the South had tried co-operation with the result that delay and compromise had given the Unionists an opportunity to organize and to render the Nashville convention ineffectual. In 1850, Whigs had controlled some of the States; but in 1860, fortunately for the secessionists, governors of all the States were Democrats and all of them had pronounced in favor of Southern rights. Emerging from the campaign with organization intact, the Breckenridge Democrats were in a position to take quick action and present the Unionists with a *fait accompli*. On the other hand, the example of South Carolina's futile attempt to get other States to follow her in nullification had taught the lesson that unified action was imperative. The problem of how to get co-operation without a conference was solved by the appointment of commissioners representing the States, who visited neighboring legislatures to co-ordinate action. The Governors of Alabama and Mississippi began the system of commissioners.

## 6. SECESSION OF THE LOWER SOUTH

South Carolina's peculiar electoral practice enabled her to take the lead in secession. The legislature, which had assembled to cast the State's electoral vote, stayed in session until the results of the national election were known. When Lincoln's election was assured, the legislature issued a call for a State convention. Elections were to be held on December 6, and the convention would assemble on December 17. Meantime, the other States were at work. The Mississippi Legislature was convened in special session and on November 29 provided for a convention on January 7, 1861. Governor Moore, of Alabama, acting on earlier instructions from the legislature, ordered an election for December 24 for a convention to meet January 7. In Louisiana and Florida there was no difficulty in calling conventions, but delays came in Georgia and Texas. In the latter State, Governor Samuel Houston bitterly opposed the secession movement, and the call for a convention failed to get his approval. In Georgia the legislature assembled on November 8 and listened to a message from Governor Joseph E. Brown recommending retaliation against the Northern States, an appropriation for the militia, and the calling of a convention. In Georgia, however, the Unionists were especially active. Senator Alexander H. Stephens, Linton Stephens, Benjamin Hill, and Hershel V. Johnson opposed secession, while Senator Toombs, T. R. R. Cobb, and Governor Brown were in favor of immediate action. After listening to long and earnest debates between the two Senators, the legislature passed an act for a convention to meet on January 16. It also appropriated a million dollars for military purposes.

When the South Carolina convention met, commission-



ers from Alabama and Mississippi were present to promise co-operation. On December 20, the convention passed an "Ordinance of Secession," simply repealing the act by which the convention had ratified the Federal Constitution and the acts of the legislature ratifying the twelve amendments. "The Union now subsisting between South Carolina and other States under the name of the United States of America is hereby dissolved." The convention appointed commissioners to visit the other States and propose a new union on the basis of the old Constitution. Support for the secessionists came on December 6 from Secretary of the Treasury Howell Cobb, who published a letter to the people of Georgia declaring that each hour that Georgia remained in the Union after Lincoln's inauguration would "be an hour of degradation, to be followed by certain and speedy ruin." Cobb resigned from the Cabinet to hasten to Georgia to work for secession. A week later, 30 Southern congressmen signed an address declaring that the Republicans would not compromise and that the South must secede. These addresses hastened action, and Florida and Alabama on January 9, Georgia on January 17, Louisiana on January 26, and Texas on January 31 seceded from the Union.

Despite the haste in which these conventions were called and the speed with which they acted, the Unionists were able to make some resistance. Unable to stop the wave of secession sentiment, Unionists took a stand for co-operation rather than separate State action. South Carolina's action was unanimous, but in Florida 7 out of the 69 members of the convention voted against secession. In Mississippi, 23 voted for the Union and 83 for secession, while in Alabama's convention there were 45 co-operationists to 54 secessionists. The vote for the ordinance of secession

in Georgia was 208 to 89 and in Louisiana 113 to 17. In Texas, where the ordinance was submitted to a popular vote, the 14,697 opposed to secession were overwhelmed by the 46,129 in favor of it. These votes, however, do not indicate the real Union strength in the South. The hastily called conventions and the lack of unity among the opponents of secession prevented Unionists from making a better showing. Many members of the conventions who had been elected as Union or co-operation men found themselves unable or unwilling to resist the secession tide. Not the least considerable factor in this result was the failure of compromise proposals in Congress.

#### 7. THE REPUBLICANS AND EFFORTS FOR COMPROMISE

While the State conventions were being held in the lower South, Congress was considering proposals for compromise. Within Congress there were both moderates who were willing to make concessions to preserve the Union, and extremists who were convinced that the time for compromise had passed. Among the former were the Bell and Everett men from the upper South and the Douglas men from the Northwest. Compromise would be a political advantage for the Northern Democracy. On the other hand, the secessionists from the lower South and the newly successful Republicans were opposed to compromise. Republicans could not afford to admit that their success in the elections had given the Southern States justification for secession.

When Congress assembled, Buchanan sent his annual message. The President had consulted his Attorney-General, Jeremiah Sullivan Black, and had arrived at an interesting conclusion. He denied that the Southern States

had a right to secede, but he failed to find in the Constitution any power by which the Federal Government could coerce a State into remaining in the Union. In the dilemma, his suggestion was for compromise. He proposed amendments to the Constitution which should recognize the right to hold slaves in the States where it existed, should give protection to slavery in the territories, and should write the Fugitive Slave Law into the Constitution.

In the House of Representatives, this part of the President's message was referred to a special committee of one member from each of the 33 States, and in the Senate it was placed in the hands of a special committee of 13. The House committee contained 16 Republicans, some of whom had already indicated their opposition to compromise. While the committees were organizing, Congress considered two proposals which came from Andrew Johnson, of Tennessee, and John Crittenden, of Kentucky. Johnson's suggestions for compromise struck at fundamentals and ignored such superficial remedies as Buchanan recommended. The Tennessee Senator wanted constitutional amendments providing for the direct election of United States Senators; the division of the country into electoral districts in Presidential elections and a run-off election between the two highest candidates if no one received a majority vote; alternating the President and Vice-President between North and South every four years; and dividing the Supreme Court into three classes, one class to retire every four years and each class equally divided between free and slave States. Less drastic were Crittenden's proposals for extending the Missouri Compromise line to California and protecting slavery in the territories south of the line by a congressional slave code.

Johnson's suggestions received slight attention, but

Crittenden's proposals were discussed in both Senate and House committees and were defeated by the Republican members of each committee. As Ohio's Ben Wade explained the Republican attitude, "It would be humiliating and dishonorable to us if we were to listen to a compromise by which he who has the verdict of the people in his pocket should make his way to the presidential chair." It was evident that the Republicans would not yield to the South or to the friends of the Union. Wade's speech was made on the day the South Carolina convention assembled and was generally accepted as an authentic statement of Republican intentions. Such speeches and the failure of Congress to agree on compromise proposals strengthened and hastened the secession movement.

As it became evident that Congress would frame no compromise, the friends of the Union turned to a national convention which might represent the Union sentiment of the Nation. Under a call from Virginia, delegates from 21 States assembled in Washington to consider making new efforts for compromise and to stop the drift toward secession and civil war. Already six States had seceded from the Union, and on the same day they had assembled at Montgomery to form the Southern Confederacy. These States and Arkansas and Texas were not represented at the Washington peace conference, nor were the Republican-controlled States of Michigan, Wisconsin, Minnesota, California, and Oregon. The convention chose ex-President John Tyler as its presiding officer and immediately fell to discussing the bases of compromise. The sessions were secret, but on February 27 the convention adopted proposals differing only slightly from the Crittenden compromise. The amendment proposed by the convention would prohibit slavery north of 36° 30' but would

not guarantee its existence against "unfriendly" legislation south of that line. Another amendment would require a three-fourths majority of the Senate to ratify a treaty acquiring additional territory, and the majority should include a majority of the Senators from both the free and the slave States. A third amendment guaranteed slavery in the States and territories where it existed and in property under government control. A fourth proposal would have prevented Congress from interfering with the surrender of fugitive slaves, would compensate owners for losses incurred by runaway slaves, and would prohibit the foreign slave trade.

In the convention, the Border States supported these proposals while the New England States were in opposition to each of them. It seemed evident that the Republicans of the North would block any effort at compromise. Senator Zachariah Chandler wrote to the Governor of Michigan that "no Republican State should have sent delegates, but they are here and cannot get away. Ohio, Indiana, and Rhode Island are caving in, and there is danger of Illinois; and now they beg us, for God's sake, to come to their rescue, and save the Republican party from rupture. I hope you will send *stiff-backed* men or none." The same opposition to compromise was expressed by Salmon P. Chase, who declared: "Mr. Lincoln was the candidate of the people opposed to the extension of slavery. We have elected him. After many years of earnest advocacy and sincere trial we have achieved the triumph of that principle. By fair and unquestioned majority we have secured that triumph. Do you think we who represent this majority will throw it away? Do you think the people would sustain us if we undertook to throw it away?"

The peace conference submitted its recommendations to Congress, where Republicans prevented any action until the end of the session on March 4. This failure contributed to the secession of the States of the upper South. When Abraham Lincoln made no effort to compromise but showed instead a determination to enforce the laws in the seceded States, the upper South followed the "cotton" States into the Confederacy.

### 8. LINCOLN AND THE SOUTH

From the time of his election until his inauguration, Abraham Lincoln maintained a silence on the issues of the times. During the Presidential campaign he had quite consistently told his friends that he was in favor of enforcing the Fugitive Slave Law, and he had expressed his willingness to guarantee slavery where it existed, but he was unalterably opposed to any extension of slave territory. In December he declared privately that he was "sorry any Republican inclines to dally with Pop. Sov. of any sort. It acknowledges that slavery has equal rights with liberty and surrenders all we have contended for. Once fastened upon us as a settled policy, filibustering for all South of us and making slave states of it, follows in spite of us, with an early Supreme Court decision, holding our free-state Constitutions to be unconstitutional." This attitude, known to the leaders of the Republicans, strengthened them in opposition to compromise.

While the peace conference was in session, Lincoln left Springfield for a slow trip to Washington. At cities along the route he stopped to speak, but for the most part his public utterances were in a trivial or a jovial mood. Yet he reiterated his belief that the Union should be preserved.

In Philadelphia he declared that "the Government will not use force unless force is used against it," but he frequently asserted his intention of executing all the laws in all parts of the United States. In his inaugural address, which was studied carefully in the slave States which had not seceded, he denied the right of secession and repeated his statements that he had no intention of interfering with slavery where it existed. Considering that the Union was unbroken, he would "take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the States." In doing this there would need be no violence, yet he added a warning that "in your hands, my dissatisfied fellow-countrymen, and not in mine, is the momentous issue of civil war. The government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the government, while I shall have the most solemn one to 'preserve, protect, and defend' it." To the watchful people of the hesitating slave States there was little satisfaction in these words. Unionist, co-operationist, and secessionist in the South were agreed that States had the right to secede and that the Federal Government had no right to coerce a State. To all who had hoped for a program upon which the Union could be reconstructed, Lincoln's inaugural came as a disappointment.

Although Lincoln had announced that he would not be the aggressor, the possibilities of conflict were too great to be avoided. Most important was the question of the possession of Federal property in the seceded States. As the States seceded, they occupied without difficulty most of the Federal buildings in their borders. Post offices, mints, customs houses, and arsenals were taken over and the

harbor forts were occupied. In Texas, Brigadier General D. E. Twiggs surrendered the government property under his control to an irregular State militia, and in other States forts were taken over by the States.

The newest and strongest fort along the Southern seaboard was Fort Sumter, nearing completion in Charleston Harbor. Just after South Carolina seceded, Major Robert Anderson moved his troops from the less defensible Fort Moultrie and Castle Pinkney to Sumter. These abandoned forts were immediately seized, and the Carolina convention appointed commissioners to arrange with the United States for the surrender of Fort Sumter. Buchanan, however, declared that he had no authority to surrender the fort and referred the commissioners to Congress. Buchanan's Cabinet split over the issue, and in order to prevent J. S. Black from resigning as Attorney-General, the President ordered reinforcements and supplies sent to Anderson in Sumter. As the steamship *Star of the West* approached the harbor, it was shelled from Castle Pinkney and Fort Moultrie. Since Anderson did not know of the purpose of the vessel, he made no attempt to protect her approach, and the ship returned to New York. Although this incident increased excitement on both sides, Buchanan failed to press the issue to the logical conclusion of war. Tacit agreement was made that no further demand would be made for the surrender of the fort and no further effort to reinforce it would come from the administration. Buchanan thus turned over to Lincoln the problem of protecting government property in the South.

As soon as Lincoln was inaugurated, commissioners from the Confederacy sought to make arrangements for the surrender of Fort Sumter. But Secretary of State Seward refused to receive them or to receive any



communication from them. Finally, two Justices of the Supreme Court attempted to act as intermediaries. Seward promised, on his own authority, to maintain the existing arrangements. Lincoln, however, was determined to make an issue of Fort Sumter and prepared, without Seward's knowledge, to send reinforcements to Major Anderson.

Meantime, in the South, preparations had been made to resist any effort to supply the fort. Brigadier-General P. G. T. Beauregard had supervised the placing of cannon along the shore and at Forts Moultrie and Pinkney. When the news arrived that Lincoln had sent supplies, Beauregard consulted Governor Pickens and asked the Confederate Secretary of War for instructions. In Montgomery, the Confederate Cabinet considered the matter. The new government could not afford to have its authority defied by the relief expedition, and the Cabinet felt that action should be taken partly to reindicate the honor of the government and partly to hasten secession in Virginia and other Southern States. Beauregard was instructed to demand that Anderson evacuate the fort.

On April 11, Beauregard made a formal demand for the surrender of the fort. Anderson refused but informed the messenger that he would have to abandon his place unless he received reinforcements. He did not know, as Beauregard did, that supplies were being sent. The Confederate general answered that he would open fire. Early in the morning of April 12, the aged Edmund Ruffin, who had asked for the honor in recognition of his long agitation for Southern independence, touched the match to the first cannon shot of the Civil War. All day, while the relieving squadron waited outside the harbor, the firing went on. On the evening of the thirteenth, with food and ammuni-

tion exhausted, Anderson surrendered. There had been no loss of life on either side, though one of Anderson's men was killed by a bursting gun as a final salute was fired to the flag being lowered from the fort.

In North and South the bombardment caused great excitement. On April 15 Lincoln called for 75,000 militia for 90 days to redress wrongs "already long endured" and to restore the authority of the Union.

### 9. SECESSION OF THE UPPER SOUTH

The immediate effect of this call for the militia was the secession of Virginia and the other States of the upper South. On the day after the call, Governor Magoffin informed Lincoln that "Kentucky will furnish no troops for the wicked purpose of *subduing* her sister Southern states," and on April 18 Missouri's Governor Jackson declared that the request was "illegal, unconstitutional, revolutionary, diabolical, and cannot be complied with."

Virginia's adherence to the Southern cause was vital to its success. The division between the eastern and western counties, however, produced divided councils in the State. The planters of the Tidewater favored secession, while the western counties were vigorous in expressing their devotion to the Union. As early as November 12, 1860, mass meetings were held to proclaim Union sentiments and to deny the right of secession. Threats were made that the western counties would not follow the State into the Confederacy.

Governor Letcher, who had been elected by the votes of the western section, found himself unable to resist the pressure of the politicians from the East, and called the General Assembly to meet in extra session on January 7,

1861, "to take into consideration the condition of public affairs." Westerners opposed this action in fear that a convention would be called. The fear was soon realized, for on January 14 the Assembly called for a convention to meet on February 13. The call provided that any action taking the State out of the Union would have to be submitted to a popular vote. Westerners regarded this hasty action as an attempt to rush the State into secession. The convention contained 152 members, 85 of whom were Bell men and 35 supporters of Douglas while but 32 were proponents of secession. From the elections it was estimated that there was a 50,000 majority in favor of the Union. John Janney, a Unionist, was made president of the convention, which soon thanked Crittenden for his compromise efforts. Despite this Union majority, the secessionists in the convention succeeded in obtaining 14 of the 21 members of the Committee on Federal Relations. Commissioners from the States of the lower South appeared before the convention, holding out hopes for the State's prosperity in the Confederacy. Virginia would be the largest State in the Confederacy and would benefit from the trade of the cotton States. Such a lure was effective in causing the Virginians to consider secession, and Unionists wavered in their devotion. Lincoln's inaugural met no favorable response in the convention, and five days later the Committee on Federal Relations made a report denying the fundamental principles of Lincoln's address and asserting the right of secession. The people of Virginia, declared the committee, would not allow the Federal Government to coerce the seceded States. Slowly and insidiously the secessionists were leading the State from the Union. The convention recognized the independence of the Confederate States, and the secessionists were pre-

pared to take advantage of any development. When Sumter was fired on, a large crowd paraded before the governor's house, and almost immediately a mass meeting of residents of the surrounding counties began to assemble. The pressure of this volunteer convention soon forced wavering Unionists into the secession ranks. Under the excitement resulting from Lincoln's call for volunteers, the convention on April 17 voted 88 to 55 in favor of an ordinance of secession which should be submitted to the people for ratification on May 23.

Long before the vote was taken, Virginia had severed connections with the Union. Colonel Robert E. Lee, resigning from the United States Army, was placed in command of the State's military forces. The State seized the arsenal at Harpers Ferry and the Navy Yard at Norfolk, and made a military agreement with the Confederate Government. It was generally understood that the capital of the Confederacy was to be moved to Richmond. On May 7, before the election was held, Virginia entered the Confederacy. The vote on the twenty-third was only a formal recognition of an accomplished fact. Secession was voted for by 126,000, and but 20,000 were opposed. The western counties, however, were not included in the totals. Already they had taken steps to secede from Virginia and form a separate State under the old flag.

Virginia's action was shortly followed by Arkansas and Tennessee. On January 16 the Arkansas Legislature provided for a convention which assembled on March 4. Before that, Governor Henry M. Rector had obtained the surrender of the Federal arsenal at Little Rock. The election, held on the question of "convention" or "no convention," resulted in a majority of 11,500 votes for holding a convention, but most of the delegates elected were avowed

Unionists. Several propositions to pass ordinances of secession were defeated, and the convention adjourned on March 21 to reassemble five months later. However, the firing on Sumter and Lincoln's proclamation caused the convention to reassemble on May 6. On the afternoon of that day, by a majority of 65 to 5, an ordinance of secession was passed. Four days later Arkansas adhered to the Confederate States of America.

In Tennessee there had been but little secession sentiment before 1860. The popular leaders of the State were Whigs, and Bell carried the State by an overwhelming majority. Yet, largely owing to the energetic efforts of a handful of Democratic politicians, the Union strength of the State was broken down within six months following the Presidential election. Lincoln's election, the failure of compromise efforts, and the gradual disaffection of such popular idols as John Bell weakened the Union cause, while the indefatigable efforts of Governor Isham G. Harris for secession were eventually crowned with success.

On January 7, 1861, the Tennessee Legislature met in special session at the call of Governor Harris, who sent a message listing the outrages which the North had committed against the South and proposing a State convention. The legislature provided for an election to be held on February 9. Immediately a campaign began which revealed anew the deep-seated division between the sections of the State. The mountain counties of east Tennessee had few slaves, and the people were unsympathetic with the ambitions of the Confederates. The cotton-planting, slave-holding middle and western sections were in favor of Southern rights. East Tennessee had been a Whig stronghold, but its Whiggery was that of Clay's American System rather than of the Black Belt aristo-

crats. Fully aware of the rich mineral deposits of their hills, the eastern Tennesseans were hopeful of an industrial development which would never be possible in an agriculture-dominated Confederacy. Strong opposition to holding a convention developed in east Tennessee, and in the election the convention was defeated 68,282 to 59,449. At the same time, Unionist candidates for the convention, if one were held, received 91,803 votes to 24,749 for secessionists. This outcome gave the governor and his secessionist clique a temporary setback; but the failure of the peace conference, the firing on Sumter, and Lincoln's call for troops caused a strengthening of secession sentiment. Old Whig leaders, led by Bell, issued a statement condemning Lincoln and approving Harris's course. To their mind, the solution lay in holding another conference. But the secessionists did not desire a conference. Harris called a special session of the legislature for April 25 and recommended to it an ordinance of secession and union with the Confederacy. Meantime John Bell pronounced in favor of secession and weakened the Union cause. The legislature passed an ordinance of secession to be submitted to the people in a popular election on June 8.

Without waiting for the election, the legislature received commissioners from the Confederacy and on May 7 approved a military league with Davis's government. For all practical purposes, Tennessee was a part of the Confederacy before the people had an opportunity to ratify the action. Preparations for the election went on, however, with east Tennessee again proclaiming Unionist sentiments. Congressman T. A. R. Nelson and Senator Andrew Johnson returned to campaign for the Union throughout the eastern counties. "Parson" W. G. Brown-

low, who had but recently spoken the final word on the desirability of slavery, turned the vitriolic columns of his Knoxville *Whig* to a castigation of secessionists. "You may leave the vessel," he had told South Carolinians in November, 1860 "—you may go out in the rickety boats of your little state, and hoist your miserable *cabbage-leaf* of a palmetto flag; but depend upon it, men and brethren, you will be dashed to pieces on the rocks." He warned the people that the "vilest, most damnable, deep-laid, and treacherous conspiracy that was ever concocted in the busy brains of the most designing knave is being hatched to destroy his liberties by breaking up this government." Under such leadership, the east Tennessee counties held a convention at Knoxville before the election to declare that "the Constitution of the United States has done us no wrong. The Congress of the United States has passed no law to oppress us. The President of the United States has made no threat against the law-abiding people of Tennessee." The convention prepared for secession from the State if the election took Tennessee from the Union. On the eve of the election, Confederate troops arrived in the eastern counties and contributed by their presence to the results. The vote was 105,379 for the ordinance of secession and 47,233 against it. Of the minority, 30,000 votes came from east Tennessee. Andrew Johnson, alone of the Southern senators, refused to resign his seat and east Tennessee's Union congressmen remained in their places in Washington.

Last of the Southern States to secede was North Carolina. There, too, the people of the western mountains were Unionists, but they were in a minority in the State convention. Small farmers were opposed to secession, and small manufacturers in the middle region preferred

the Union. However, with her neighbors on all sides in the Confederacy, North Carolina was forced to yield to circumstances. On May 20 an ordinance of secession was approved, and North Carolina joined the Confederate States.

Three Southern States remained in the Union. In Maryland, Governor Hicks pursued a vacillating course but failed to assemble his legislature to take action. Riots broke out in Baltimore as the first troops answering Lincoln's call passed through the city. However, the Baltimore and Ohio Railroad was loyal to the Union, and Federal troops soon suppressed the rioters. Lincoln authorized General Winfield Scott to suspend the writs of *habeas corpus*, and under martial law sufficient secessionist leaders were arbitrarily arrested to hold Maryland in the Union. Governor Magoffin proclaimed Kentucky's neutrality, which Lincoln respected until the State's secession was rendered improbable. In Missouri, Governor C. F. Jackson hoped to take his State into the Confederacy, and assembled the militia in St. Louis. However, the Blair family of Missouri had persuaded Lincoln to send Captain Nathaniel Lyon to command the Federal arsenal. Lyon marched against the militia and forced their surrender. Although Jackson proclaimed Missouri's secession, he was driven from Jefferson City and the State remained in the Union.

Secession had come about through the better organization of those politicians who had feared the election of Lincoln. Quick action, the rejection of compromise by both the ultra-Southerners and the Republicans, and the consequences of Fort Sumter brought secession. There were, however, many Union-saving forces in the South which might have prevented the action had they been



given time to exercise a moderating influence. For the most part, the banks of the South were so dependent upon the preservation of the Union for their prosperity that they were opposed to secession. Commercial interests along the Ohio and Mississippi Rivers, whose business was intersectional in character, would be injured by secession. Moreover, there were sentimental reasons which might have operated against a dissolution of the Union. Many Northerners were resident in the South, such as Doctor Junkin, president of Washington College at Lexington, Virginia, who devoted his time to teaching his senior class a Northern interpretation of the Constitution. The mountain regions of Virginia, North Carolina, Tennessee, Alabama, and Georgia were potentially industrial regions which looked to the North rather than to the South. Religious connections in the Catholic, Episcopal, and Presbyterian Churches with the North contributed to the Union sentiment. In addition, there were politicians, mostly old Whigs and Douglas Democrats, who had been long dependent upon their Northern connections. None of these forces was sufficiently articulate or well enough organized to prevent secession, but all of them remained to harass the days of the Confederacy and to hasten the eventual reunion of the United States.

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## CHAPTER XVII

### THE CONFEDERATE STATES OF AMERICA

#### 1. THE CONFEDERATE GOVERNMENT

ON FEBRUARY 4, 1861, just a month before Abraham Lincoln was inaugurated, representatives from six seceded States assembled at Montgomery, Alabama. Within four days the delegates, under the presidency of Howell Cobb, had adopted a Constitution for the Confederate States of America. The first of the 50 signers of the new instrument of government was South Carolina's Robert Barnwell Rhett.

The task before the framers of the Confederate Constitution was not difficult, for the South had few objections to the Constitution of the United States. Indeed, in Southern theory, secession was a method of preserving the good features of the document of 1787 and of ridding themselves of obnoxious misinterpretations which had grown up. The new Constitution was therefore but a modification of the old, and was more notable for its resemblance to the familiar system of government than for its changes. Like the "fathers" at Philadelphia, the members of the Montgomery convention were more concerned with making a working system than they were with political experimentation. In the preamble of the Confederate Constitution the words "we the people of the Confederate States" appeared, but the explanatory clause "each State acting in its sovereign and independent character" was

added. Meeting a frequent criticism of the Federal Constitution, the preamble invoked "the favor and guidance of Almighty God" upon the new nation.

The Constitution incorporated the 12 amendments of the United States Constitution in the body of the document, eliminating the clauses which had been supplanted. It conferred the same powers of taxation upon Congress but forbade appropriations for bounties or internal improvements and a protective tariff. The African slave trade was forbidden, but slaves might be admitted from the slave States of the United States. The government was given the right to acquire territory in which slavery should "be recognized and protected by Congress and by the territorial government." Fugitive slaves were to be returned by the governors of the States to which they fled. The "federal-ratio" was continued in apportioning representatives among the States.

Of more significance than perhaps the framers knew were other variations from the older frame of government. An executive budget was provided for; and the President, who was elected for six years but was ineligible for re-election, might veto separate items in an appropriation bill. The Cabinet were entitled to seats, though not to votes, on the floor of House and Senate. Before the end of the Confederacy these provisions gave evidence of containing the germs of a modified parliamentary government.

This constitution was provisional, although it was ratified by the States as the permanent one. Also established by the Montgomery convention was a provisional government to take charge of the nation. The convention resolved itself into the Congress of the Confederate States after electing Jefferson Davis, of Mississippi, and Alexander H. Stephens, of Georgia, as Provisional President

and Vice-President. In choosing Davis and Stephens, the Convention seems to have been actuated by a desire to select conservatives for the first places in the government. William L. Yancey, Robert Barnwell Rhett, Howell Cobb, and Robert Toombs were better known as secessionists, and would have appeared more appropriate choices. But the membership of the convention was conservative; Yancey was not even a member and Rhett was overshadowed by the moderate men in South Carolina's delegation. Georgia's leaders, Cobb and Toombs, seem to have neutralized each other, and the convention selected Stephens, who had vigorously opposed secession. Davis's military record in the Mexican War, his display of administrative ability as Pierce's Secretary of War, and his senatorial career commended him to the conservative members of the convention.

Davis himself did not share the convention's estimate of his talents. Already appointed major-general of Mississippi's militia, he hoped to be made commander-in-chief of the Confederate armies. He accepted the Provisional Presidency half hoping that the duties would be but temporary. Temperamentally, Davis was ill-fitted for the trying days before him. His health was bad and possibly clouded his judgment in crises. He knew little of the arts of politics, and his devotion to the strict letter of the Constitution was a liability in the head of a warring and revolutionary state. Never popular, he lacked the ability to dramatize the Confederate cause before the Southern people.

On February 18, Davis was inducted into office. In his inaugural address he sought to define the Confederate position and to appeal to the North for peace. He hoped that the "beginning of our career in a Confederacy may

not be obstructed by hostile opposition." As an agricultural country, "our future policy is peace"; but Davis warned the North and encouraged the South by stating that if "the integrity of our territory and jurisdiction be assailed, it will remain for us with firm resolve to appeal to arms and invoke the blessing of Providence on a just cause."

For his Cabinet, Davis selected Robert Toombs to be Secretary of State, C. G. Memminger of South Carolina as Secretary of the Treasury, L. P. Walker of Alabama as Secretary of War, S. R. Mallory of Florida for the Navy Department, Judah P. Benjamin of Louisiana for Attorney-General, and John H. Reagan of Texas for Postmaster-General. It was a cabinet of considerable ability but revealed Davis's lack of political insight. No member represented the ardent secessionists, and only Walker could be said to belong in the ranks of the planter aristocracy. Memminger was a banker and merchant of Charleston with intimate connections with English trading houses. Mallory had served on the naval committees in the United States Congress, while Benjamin, a Jewish lawyer, possessed great ability but was highly unpopular. No member of the Cabinet brought political strength to the administration. The President made no effort to appeal to either the fire-eating secessionists or the devoted Unionists.

Hardly had the Provisional Government been launched when opposition raised its head. Rhett's *Charleston Mercury* began an opposition which was to continue with increasing bitterness during the Confederacy's existence. The tariff provisions and the prohibition of the slave trade drew the *Mercury's* ire. Part of the discontent was due to Davis's having overlooked the Rhett faction in his

Cabinet. More fundamental as a cause of opposition was the fact that States' rights seemed to be ignored both by the new Constitution and the new President. The secession of the Southern States had been justified on constitutional grounds by appeals to the States' rights philosophy. Although all Southerners talked in terms of these theories, to many such theories were a convenient rationalization rather than a vital article of faith. In the newer States of the Southwest, where there was less attachment to the community, men thought in terms of Southern nationalism; while in the older States, such as South Carolina, Georgia, and Virginia, local patriotism took precedence over loyalty to the Confederacy. The distinction was subtle but vital. Jefferson Davis was a Southern nationalist, while Robert E. Lee, whose devotion to Virginia led him to resign his commission in the United States Army and brought on him charges that he neglected the rest of the South, was the highest embodiment of the principles of States' rights. Some other adherents of Lee's constitutional views lacked his simple honesty and earnest devotion, and cloaked a captious criticism of the administration in terms of pious jealousy for the liberties of their States. From the beginning the Confederacy carried with it the germs of a paralyzing disease, and in the end it "died of states' rights."

## 2. WAR PREPARATIONS

The Confederate States of America had no opportunity for a normal peace-time development. From the beginning of the government the Confederacy was faced with war, and its civic evolution was distorted by the necessities of armed conflict. Within six weeks after Abraham Lin-



coln's inauguration the first shot at Sumter had lighted the holocaust which drove the Border States into secession and forced the Davis government to devote its major efforts to military affairs. As soon as Virginia seceded, the Confederate capital was moved to Richmond, where President Davis was placed so close to the embattled armies that his vision of civil affairs was blinded by bayonets glistening in the Southern sun.

The first task before the Confederate Government was the organization of men and materials for the armies. The news of Sumter was received with joy in the South, and torch parades and fire-eating speeches marked the celebrations in many communities. In anticipation of the day, militia companies had been organized and military training had appeared in Southern colleges during the fifties. States had purchased supplies of arms, and at the time of John Brown's raid Virginia had been put on a war footing. Yet the military resources of the Confederacy were small as compared with those of the North. The total population of the 11 Confederate States was but 9,000,000, over one-third of whom were blacks; while the 22 States of the North had 22,000,000 people. In terms of man power these figures meant that there were but a little over 1,000,000 Southern men between the ages of 18 and 45 available for service, while the North had over 4,500,000 between these ages. The task of organizing an effective army to oppose such odds was Herculean, and the successful resistance which the Confederacy made to the overwhelming man power of the North was a tribute to both the genius of Southern leaders and the morale of the men in the ranks.

The condition of material for the conduct of a war was even less favorable than the available man power. In

Federal arsenals in the South which were immediately seized by the seceding States, there were 135,000 stands of arms, and only 10,000 of these were modern. The rest were smooth-bore muskets, many of which had to be altered from flintlock to percussion caps before they could be used. Among the Southern people there were many arms, but these were so varied as to be almost useless for military purposes. Hastily Davis dispatched an agent to Europe to purchase 10,000 rifles. Five hundred thousand would have answered the need. Throughout the war the Southern soldier was poorly armed and depended frequently on the arms taken in battle. Deserters from the Union ranks who allowed themselves to be captured by the Confederates were sent home as prisoners awaiting exchange and were paid for the rifles they carried across the lines.

The South lacked both machinery and material for manufacturing munitions. Southern armories could make paper cartridges and caps for muskets, but women were organized in their counties to wrap cartridges for the armies. Confederate powder mills were efficiently organized by General Josiah Gorgas, and there seldom was a shortage of ammunition. The Tredegar Iron Works at Richmond, largest in the South, manufactured heavier ordnance, and smaller plants, notably at Selma, Alabama, and Atlanta, Georgia, turned their energies to the production of war material.

In wealth and resources the Confederacy was notably weak. The total taxable wealth was \$4,220,755,834, of which \$1,500,000,000 was in slaves and almost as much in real estate, \$500,000,000 in loans, and \$94,000,000 in bank stock. The slave property was concentrated in few hands, and much of the real estate was burdened with debt. The

railroads of the South could not compare with those of the North. One line of railroad ran from Charleston through Chattanooga to Memphis and the Mississippi, while another line, beginning at Chattanooga, ran at right angles to the first and terminated at Petersburg, near Richmond. On the military scene these roads were vital to the South, but the scarcity of material for their repair soon impaired their service. There was no place in the Confederacy where locomotives could be manufactured, and the concentration of the available iron works upon munitions prevented the construction of new lines of railroads or the repair of the old. Before the war was over, the rails were torn from vital lines to repair those of immediate necessity.

Two elements in the Southern economic system were of value to the Confederacy and went far to make up for the deficiencies in other resources—the Southern predominance in the world's cotton markets and the fact that the Confederate population was overwhelmingly agricultural. The cotton figured largely in Confederate diplomacy, while the agricultural resources of the South kept its armies in the field and fed them far longer than would have seemed possible.

In purely military matters the Southern nation had definite advantages at the beginning of the war. Southern men were more accustomed to handling arms than those who entered the Northern armies. Moreover, the South could build a complete military organization without being hampered by an existing army. The personnel of the Southern military leadership was high. The officers had been trained in the Army of the United States, and their resignations injured that army as much as they benefited the Confederacy. Because of the greater rewards which

could be obtained from civil employment, many of the ablest graduates of West Point had left the Army of the United States. Among those who remained, the most capable were from the South, where the military tradition was strong. Moreover, the superintendents of West Point, the Secretaries of War, and commanding officers of the Army had been from the South. Not entirely without reason it was charged that General Winfield Scott had given the best appointments to Southerners. The result was that the tradition of the old army was Southern. The Southerners had taken readily to army life and had given whatever social prestige there had been to Army society.

At the outbreak of the war, the commanding general of the Federal Army was Major-General Scott, a Virginian who remained true to the Union. Two of the brigadier-generals were Southerners, while Scott's staff was composed largely of men with Southern sympathies. Most promising of the officers of the Army was Colonel Robert E. Lee, who had been superintendent of West Point and was at the moment attached to a western command. To Lee Scott offered the actual command of the Northern armies; but on the day after Virginia's secession, Lee resigned to follow his State. He was immediately made major-general in command of Virginia's troops and began the task of reorganizing the Old Dominion's soldiers for the coming war. Like Lee, Albert Sidney Johnston, said to have been Scott's favorite subordinate; Joseph E. Johnston, quartermaster-general; and Samuel Cooper, New Jersey-born adjutant-general of the Army, resigned their commissions to accept appointments from President Davis. Altogether, 387 out of 1,108 officers left the Federal for the Confederate service.

The higher ranks of the Confederate armies were well

manned. The volunteers who came to answer Davis's call for 100,000 men came with their own arms in their hands and with their own uniforms. Occasionally a private, and frequently the officers, brought along their own personal servants. The men were familiar with weapons, and the officers, thanks to the experience of the plantation, had had some experience in handling men. The cavalry and the artillery were especially attractive to men of the upper social classes—possibly because of the chivalric ideal of the mounted knight—while the poorer classes, men from the sand hills and the pine barrens, had perforce to march in the infantry.

### 3. DISAFFECTION IN THE CONFEDERACY

While the State and Confederate governments were estimating their resources and marshalling the first of the "boys in gray," the new government faced disaffection in the vital region of the Alleghenies. In western Virginia and eastern Tennessee the small farmers of the mountains and the valleys had small sympathy with their planting and slaveholding neighbors. The rich deposits of coal and iron in these regions were potentially valuable to the Confederacy, but the inhabitants had visions of industrial development and had long been adherents of Clay's American System. Their industrial potentialities would remain unrealized in a government dominated by the anti-tariff, anti-internal-improvements planters of the cotton South. Nothing in their experience as parts of Virginia and Tennessee led them to expect prosperity in the Confederacy.

The secession of Virginia was accomplished without the approval of the delegates from the western counties. Before the secession ordinance had been ratified by a popular

vote, the inhabitants, smarting under ancient grievances, made preparations to repudiate the action of the eastern Virginians. John S. Carlile headed a movement to make a separate and loyal State of West Virginia, while western delegates assembled in Richmond to covenant with each other to keep Virginia in the Union. Back in their districts, these men spoke against secession, and on April 22, 1861, a mass meeting at Clarksburg called for the election of delegates to a meeting at Wheeling.

The first Wheeling convention assembled on May 13 to listen to confused counsel, and contented itself with an address advising the people to vote against the secession ordinance. However, it called for another convention to meet on June 11. One hundred delegates from 34 counties assembled on that date in the "Second Wheeling Convention" to denounce secession and form a loyal government for Virginia. Francis H. Pierpont was elected Governor and the legislature was ordered to assemble. Secretly, it was understood that this "loyal" Virginia legislature would give permission, in the name of the Commonwealth, to the western counties to form themselves into a separate State. On July 1 the General Assembly met, elected Senators for the vacant seats in the United States Senate, and filled other offices of the State Government. With this they were content, but the Wheeling convention re-assembled and ordered the election of delegates to a constitutional convention. The convention, meeting on November 26, adopted a constitution for the new State of "West Virginia." This constitution was ratified on April 3, 1862, and on May 14 the legislature gave its consent to the formation of the new State. In the following April West Virginia was admitted to the Union.

From the beginning of this movement, the Virginia au-

thorities attempted to prevent action. The Baltimore and Ohio Railroad, covering the northern part of West Virginia, was of strategic importance, while the disaffection of the western counties would complicate the State's military problems. Accordingly, Governor Letcher sent an expedition to protect the railroad. But the significance of both the western counties and the Baltimore and Ohio were apparent to the Federal authorities. As soon as the disaffected in Western Virginia began their agitation, the Governor of Ohio prepared to send General George B. McClellan across the Ohio River. On June 3, McClellan met the Virginian troops at Phillipi and defeated them. Following up the victory, the invader defeated Virginia's forces at Rich Mountain and at Carrick Ford. After these disasters General Robert E. Lee, who had been busily engaged in organizing Virginia's army, marched into Western Virginia at the head of 14,000 Confederates. Lee devoted his efforts to an attempt to get his subordinates to act together, and failed both in this and in driving back the Federal forces. Behind the Federal lines the movement to organize the State of West Virginia went on, and by the end of the year Virginia's western counties were lost to the Confederacy.

Although actual secession from the State was prevented, the disaffection of east Tennessee was equally trying to the Confederacy. Before the State seceded, Confederate troops entered the eastern section. The railroad connections and the importance of the region for food production justified the strenuous efforts of the Confederacy to retain it. In May, Andrew Johnson and Horace Maynard appealed to Lincoln for aid, and unit organizations of armed men were formed. In August, the Confederates sent General Felix K. Zolicoffer into the section to secure it for

the South. In October, Lincoln ordered Buell to advance from the Ohio into the region. At the same time, Unionists in east Tennessee burned five railroad bridges in order to co-operate with the advancing Federals. But Buell was still on the banks of the Ohio, and Confederate troops hunted down the east Tennessee conspirators. Several were hanged and the newspaper of the fiery "Parson Brownlow" was destroyed and its editor arrested. Determined to hold the section, the Confederates inaugurated a reign of terror. Confederate vigilance committees were soon opposed by Unionist bushwhackers, and neither life nor property was safe in the region during the war. In August, 1861, in the Confederate congressional elections, Thomas A. R. Nelson and Horace Maynard, Unionists, were elected to the House of Representatives. Asserting that they had been elected to the United States Congress, they set out for Washington. Nelson was captured and forced to take an oath of allegiance to the Confederacy, but Maynard successfully got through the lines and took his seat in Congress in Washington. Martial law held east Tennessee in the Confederacy, but the disaffected region was a cankerous wound in the vitals of the South. Unionists co-operated with advancing Federal armies and aided refugees, Negroes, and prisoners escaping from Confederate prisons to make their way to the Union lines. Before the war was over, east Tennessee's mountains held many a deserter from Lee's armies.

#### 4. THE FIRST BATTLE OF MANASSAS

Faced with internal dissension and hampered by the lack of resources, the Confederacy was never able to launch an aggressive campaign during the war. In the North,



Lincoln's shrewd manipulation of political forces obtained a degree of national unity which could never be equalled in the South. Davis lacked Lincoln's personality and could not harmonize the differences within the South by political means. Moreover, the Southern dissent expressed itself in violence, which could be met only by force. The necessity for diverting part of its man power impeded the South's military activity. In addition, the whole philosophy upon which the Confederacy was based precluded a military invasion of the North. After Fort Sumter the Confederate Congress announced that the South would follow a defensive policy, insisting only on its right to follow peacefully its own course. In military terms this insistence upon States' rights meant that the Confederacy would defend its frontiers but would not carry on a vigorous offensive.

Unfortunately for Southern aims the frontier of the Confederacy was too long to be successfully defended. Stretching from the Rio Grande to the Potomac, there were few places in the boundaries of the Confederate States which were designed by nature for defense. There were no natural frontiers west of the Potomac. The Ohio River, a natural boundary, was beyond the neutral State of Kentucky. On the other hand, the Mississippi, the Cumberland, and the Tennessee Rivers were natural military highways into the heart of the South, and in the East the rivers which led into Virginia were broad avenues awaiting Northern invasion. The geography of the South bade the Confederacy to strike out into the North in order to obtain natural boundaries; the philosophy of the South forbade aggression. In the conflict, philosophy won, and the Confederacy became the victim of its geography.

To the people of the North, Abraham Lincoln presented

the impending conflict as a war for the preservation of the Union. The troops which he called for were to be used to protect the property of the United States. Nothing in this theory prevented an aggressive military movement; and as summer began, there arose an insistent demand that the volunteers who had been gathered at Washington be sent to capture Richmond. The terms of the 90-day men were about to expire, and the newspapers clamored for action. When Congress assembled on July 4, the members added their voices to swell the cry, "On to Richmond." On July 16, General Irvin McDowell, commanding the forces about Washington, began the advance.

The Confederate troops in Virginia were at three important points—before Fortress Monroe between the York and the James Rivers, in the Shenandoah Valley, and near the junction of the railroads which ran to the interior of the State. In the valley was General Joseph E. Johnston with 11,000 men, and at the railroad junction at Manassas General P. G. T. Beauregard had 20,000. Against Beauregard's force McDowell directed the Federal advance. General Patterson, with 22,000 at Martinsburg, was instructed to keep Johnston engaged during McDowell's movement.

As soon as the movement was known in Richmond, the authorities ordered Johnston to join Beauregard. Making a feint at Patterson, Johnston so frightened the aged Federal commander that he withdrew ten miles from his former base. Leaving 2,300 men to guard Patterson, Johnston sent his army to Manassas. Moving with extreme caution, McDowell was before the Confederates on July 20 and the next morning began an attack on Beauregard's left flank. The Confederate army was drawn up along a small creek known as Bull Run. The Federal

forces succeeded in turning the left and then attacked the right of the Confederate line. There General Thomas J. Jackson, a West Pointer who had been a professor of military science at the Virginia Military Institute, made such stubborn resistance that he gained the name of "Stonewall." But the wall gave way, and the Union forces took possession of Henry House Hill. Around this point the battle fluctuated, with the tide running toward the invaders until, in the middle of the afternoon, General Kirby Smith came up with the remnants of Johnston's valley army. With reinforcements, Beauregard pushed forward and drove the Federals from the field. Cannon shots falling among the retiring soldiers soon turned retreat into panic and riot. Mingling with sightseers who had brought picnic lunches with them from the capital, the Federal army lost all organization and ran to Washington, a frightened mob. The Confederates, who had lost 1,982 in dead and wounded, had killed 1,584 and captured 1,312 Federals.

Jefferson Davis arrived on the battlefield in time to send glowing reports of the victory back to Richmond, yet he ignored Stonewall Jackson's advice to pursue the retreating enemy. The mistake was costly, for it inspired the South with confidence while it drove home to the North the lesson that the war was to be long and desperate. The next day the Federal Congress provided for a volunteer army of 500,000. In the South the tactics of defense had won a deceptive victory.

## 5. CONFEDERATE FOREIGN RELATIONS

Weak in developed natural resources, troubled by violent internal dissension, and guarding a geometric rather

than a geographic frontier, the South's chances of maintaining a separate national existence would have been slim had it not been for cotton. In Confederate thinking, "cotton was king," and the possession of the fleecy staple overcame all other obstacles. As cotton had dominated men's thoughts before the war, it continued during the conflict to be the main reliance of the Southern cause. In diplomacy it was confidently believed that European nations would give their aid in order to open up the source of cotton.

As the echoes of the guns of Fort Sumter died away, Lincoln proclaimed a blockade of the Confederate ports. Although this was not immediately effective, Confederate policy had already determined to ship no cotton to England in order to starve British cotton mills the quicker. Unknown to the Confederates, there were large supplies of cotton in Liverpool warehouses, and there was no immediate prospect of famine. At the same time, the holders of the cotton, expecting a rise in price, could be counted on to oppose any governmental action looking toward breaking the blockade. The Confederates were unaware of this situation and complacently waited for economic necessity to force intervention. Perhaps a wiser policy than holding cotton in the South until the blockade was effective would have been to have stored it in British warehouses as a basis of credit. The resultant trade with the South might conceivably have produced more friends than the policy which was followed.

Lincoln's blockade, however, had one effect. The ruling classes of England were emotionally sympathetic with the South but had no desire to enter the conflict. Alleging that Lincoln had technically recognized Confederate belligerency by proclaiming a blockade instead of simply

Closing the ports, the Queen issued a proclamation of neutrality which recognized the belligerent status of the Confederacy and accorded Southern vessels the same rights as Federal ships in British ports. The American Minister, Charles Francis Adams, protested bitterly against the proclamation and saw an additional insult in the fact that it was issued just before he presented his credentials to the Foreign Office. The South was momentarily encouraged by the coincidence.

Yet the Confederacy could not remain content with merely a belligerent status. Recognition of independence was imperative and aid was greatly desired. Early in March Davis had sent W. L. Yancey, P. A. Rost, and A. Dudley Mann to Europe to obtain recognition and make treaties. The commissioners met Earl Russell, the British Foreign Minister, but were able to extract no promises from him. Yancey's long defense of slavery made him particularly unacceptable to the English populace, and he soon came to have an appreciation of the obstacles before the Confederacy. He asked permission to return, and Davis appointed John Y. Mason to be Ambassador to England. At the same time, John Slidell, was commissioned to go to the court of Napoleon III to seek recognition.

Mason and Slidell slipped through the blockade and made their way to Havana, where they took passage on a British mail steamer, the *Trent*. At that moment, Captain Charles Wilkes, commanding the American ship *San Jacinto*, was making his way back to the United States. Learning that Mason and Slidell were on the British steamer, Wilkes determined, without orders, to capture them. Consulting law books in his cabin, Wilkes decided that the commissioners were "embodied dis-

patches" and therefore subject to capture. On November 8, 1861, he overtook the *Trent* on the high seas and took the Confederates as prisoners to New York. On both sides of the ocean there was excitement. While Americans rejoiced, the English clamored for war. War was prevented, however, by the actions of two level-headed men. When the ministry submitted a fiery ultimatum to the Queen, Albert, the Prince Consort, toned it down to less provocative terms. In Washington, Lincoln realized the illegality of Wilkes's action and prepared to surrender the prisoners. Although Secretary Seward wrote a vigorous defense of the American position, Mason and Slidell were restored to the deck of a British vessel and the war clouds disappeared.

Although recognition was not forthcoming, the Confederacy won a victory from the North on a point of international law. Although Lincoln proclaimed a blockade of the South, the official position of the United States was that secession was illegal and the Confederates were insurrectionists and traitors. When Jefferson Davis replied to Lincoln's blockade with an offer to commission privateers, Lincoln announced that those accepting Confederate letters of marque would be treated as pirates. The issue was soon joined. In June the Confederate schooner *Savannah* was captured and officers and crew were taken into a Northern port to be tried for piracy. Davis protested, but his protest went unheeded until after the battle of Manassas. Then Congressman Ely, of New York, Colonel Corcoran, of a New York Irish regiment, and several others who had been captured at the battle were selected as hostages to meet the same fate as the Confederate privateers. Northern newspapers and the Irish population raised a cry against the government's

position and demanded that the prisoners taken should be awarded the ordinary rights of prisoners of war. Fortunately the jury on the *Savannah* case disagreed, and the government was relieved. Henceforth, captives were treated as prisoners of war, and exchanges of prisoners were carried on between commanders in the field. Practically, if not formally, the United States recognized the belligerent status of the Confederate States of America.

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## CHAPTER XVIII

### THE WAR IN 1862

#### 1. CIVIL AFFAIRS

FROM the first meeting of the Confederate Congress, war preparations occupied the major attention of the new nation's legislature. The first law of the new Congress, passed on February 9, 1861, provided that all laws of the United States should be continued in the Confederacy. The second act, February 14, continued Federal officials in their respective places during the provisional government.

With such details attended to, the Congress turned to the all-important subject of financing both the Confederate Government and its impending war. At no time did the Confederacy attempt to raise money by drastic taxation but preferred to depend on loans. On February 28 an act was passed authorizing a loan of \$15,000,000, payable in ten years and bearing eight per cent interest. In order to meet the interest payments, an export tax was imposed on cotton. The operation of this loan quickly absorbed the available cash in the banks of the Southern States. In March and May, treasury notes were issued, and in succeeding months more and more such notes were authorized, until by the end of 1863 over \$600,000,000 had been issued. A few of these issues bore interest, payable in specie. In May, 1861, a loan

of \$100,000,000 at eight per cent was authorized which could be subscribed in cotton, other produce, or manufactured articles. Before the year was over, the Confederacy had on its hands over 400,000 bales of cotton and much other produce. Although foodstuffs could be used for the armies, the blockade made the cotton a total loss. The reluctance of the people to bear the burden of taxation was shown in the War Tax of August 19, 1861. This was a direct tax of one-half of one per cent apportioned, according to the Constitution, among the States upon all property in the Confederacy. The law provided that any State might assume its quota and receive a reduction of ten per cent. Only in South Carolina, Mississippi, and Texas was the tax collected. The other States issued bonds and notes, thereby transforming the tax into a loan.

In addition to providing for the financial needs of the country, the Congress made arrangements for supplanting the provisional by a permanent government. On March 11, a permanent constitution was proclaimed and the President was instructed to hold elections under it. In November, general elections resulted in the election of Davis and Stephens to the offices they held and returned most of the members of the Provisional Congress. February 22, 1862, was set as Inauguration Day for the new government.

By the time of the inauguration, military reverses had somewhat stilled the first enthusiasm, but Davis was able to point with pride to the year which had "been the most doubtful in the annals of this continent." A new government had been established, the Confederate States had grown to 13 (he included Kentucky and Missouri), and the people had "rallied with unexampled unanimity to

the support of the great principles of Constitutional government." A million men were in arms along a frontier thousands of miles in length. "Battles have been fought, sieges have been conducted, and, although the contest is not ended and the tide for the moment is against us, the final result in our favor is not doubtful."

## 2. DISASTER IN THE WEST

At the moment that Davis delivered his inaugural, the tide was indeed against the Confederate arms. Within a few days the news of disaster in the West could no longer be kept from the Southern people. The long frontier of thousands of miles was impressive only in distance. It had already begun to crumble.

At the beginning of the conflict, Kentucky had refused either to secede or to respond to Lincoln's call for volunteers. The neutrality which Governor Magoffin proclaimed, however, could not stand before the presence of military necessity. The United States actively recruited men in the State and furnished arms to the soldiers who volunteered. When Magoffin protested, Lincoln assured him that leading men of the State had asked for the Government's action. Neutrality, for the moment, pleased Davis, who attempted to bolster the Governor's stand. But in the meantime fighting in Missouri made points on the Mississippi of great strategic value. Early in September, General Leonidas Polk, who had resigned his army commission after graduating from West Point to enter the Episcopal ministry and who had left the Bishopric of Louisiana to enter the Confederate service, was informed of Federal plans to seize Columbus. To forestall such action he crossed the line and took the city

himself. This action gave to Brigadier-General U. S. Grant, commanding the Federal forces at Cairo, an excuse for violating Kentucky's crumbling neutrality. Hastily throwing his army across the Ohio, he seized Paducah at the mouth of the Tennessee River and proclaimed his intention to save the State from invasion.

Before Kentucky was lost to the Confederacy, troubles in Missouri had effectually cut that State off from the South. After Lyon's capture of the militia encampment in St. Louis, General Sterling Price, commanding the State troops, withdrew to Jefferson City, where Governor Blairborne Jackson was attempting to take the State out of the Union. Lyon defeated Jackson's hastily gathered militia at Booneville, and Price retired to the Ozark Mountains in the Southwestern portion of the State where he could be in touch with Confederates in Arkansas. Lyon established himself at Springfield, with control over the State. On August 10 the battle of Wilson's Creek, ten miles from Springfield, resulted in Lyon's death and a Federal defeat. Price then attempted to regain the State and captured 3,500 men at Lexington in September. However, the advance of General Frémont with 40,000 men forced Price to retire again to the safety of the Ozarks. Meantime the Missouri Legislature, meeting at Neosho, had formally seceded and joined the Confederacy. The gesture was an empty one, for less than 30,000 Missourians served with the Confederate armies, and no revenues were derived from the lost State.

While these events were under way, the Confederate lines in the West were being drawn. Under the command of General Albert Sidney Johnston the Confederate line stretched from the east Tennessee mountains to the Mississippi. The frontier was political, not geograph-

ical, and the rivers that ran across it were open gateways for invasion. At the eastern end, facing the Unionist forces at Camp Dick Robinson in Kentucky, were Generals George B. Crittenden and Felix K. Zollicoffer. On the western end General Polk held Columbus. Johnston's headquarters were at Bowling Green, in Kentucky, where he guarded railroads leading to Nashville and to Memphis. The Memphis line crossed the Cumberland and Tennessee Rivers, and the Confederates had constructed two forts, Donelson and Henry, on the rivers just below the Kentucky border.

Facing the Confederates were the Union forces scattered at vital points eastward from St. Louis. The western command was divided between General H. W. Halleck, who had succeeded Frémont in command of the Department of the Missouri, and General Don Carlos Buell, who commanded the Department of the Ohio. Early in January, 1862, in a belated move to relieve the eastern Tennesseans, Buell ordered General George H. Thomas to advance against Crittenden and Zollicoffer. The armies met at Mill Springs, on January 19, and Zollicoffer was killed. Crittenden fell back into Tennessee. Jealous lest Buell obtain glory, and anxious for complete control in the West, Halleck gave orders for a movement against Forts Henry and Donelson, which Grant at Cairo and Commodore A. H. Foote, commander of the Federal gunboats, had long been urging. On February 6 the Federal gunboats came before Fort Henry on the Tennessee, from which General Lloyd Tilghman had hastily sent the garrison. The fort was indefensible and fell with little difficulty before the gunboats.

Fort Donelson, 12 miles away on the Cumberland, was better constructed than Fort Henry. While Grant's army

moved across to take up siege positions on land, Foote moved his gunboats around to the Tennessee River. On February 13 the attack began. Within the fort were 18,000 men commanded by General John B. Floyd, Buchanan's Secretary of War. Under Floyd were Generals Gideon J. Pillow, veteran of the Mexican War, and Simon Bolivar Buckner, who had joined the Confederacy after Kentucky's neutrality had come to an end. On the 13th, the fort held out against the gunboats, but Grant's troops invested the fort on all sides. By the night of the 14th, a conference in the fort decided that it would have to be abandoned. The next morning an attempt was made to cut a path for escape through the besiegers, but Grant's line held. On the night of the 15th the generals in the fort decided to surrender. Since Floyd was under indictment for embezzlement in the North, he turned the command over to Pillow, who hastily passed it on to Buckner. During the night Colonel N. B. Forrest, commanding the cavalry, led his men and Floyd's Virginia brigade out of the fort and along the river bank to safety. Buckner was left to surrender the fort with 14,000 men to U. S. Grant. Grant's fame and the Confederacy's downfall began that day.

While Grant besieged Donelson, Buell was pushing Johnston back into Nashville. With the river open, the Tennessee capital could not withstand the pressure, and on January 23 Buell's army took the town. Johnston fell back to Corinth, Mississippi, in order to protect the junction of the Memphis and Charleston and the Mobile and Ohio Railroads. Simultaneously, in the trans-Mississippi region, General Samuel R. Curtis pushed against the troops of Price, Ben McCulloch, and General Earl Van Dorn and defeated them at Elkhorn Tavern, Arkan-

sas. Thereafter there was no serious opposition to the Union arms in Missouri.

Within the Confederacy, these western defeats brought severe criticism on General Johnston. At Corinth the unpopular general gathered whatever troops were available. Meantime Grant began an advance upon Corinth. At Pittsburgh Landing, on the Tennessee, he stopped his army to wait for Buell to join him from Nashville. This was Johnston's chance to defeat his enemy in sections, and he prepared to attack Grant before Buell could join him. On Sunday morning, April 6, Johnston's army of 40,000 men fell upon the surprised Federal encampment. So little prepared were the Union troops that Grant was seven miles down the river when he heard the opening shots. Throughout the day the battle raged about Shiloh Baptist Church, and by nightfall the Confederates were in possession of the Federal camp while Grant's men were forced against the river bank. But the Confederate success had been costly, for Johnston was killed. Beauregard succeeded to the command, but it was too late for victory. That night Buell's army came up to re-enforce Grant, but Van Dorn's troops from Arkansas, momentarily expected, did not appear. On the next day the battle was hard fought, but Beauregard was forced from the field and retired to Corinth. On the same day, Island No. 10 in the Mississippi fell before a Federal attack.

To the victorious Union army General Halleck came in person to command the advance. Having learned the lesson of Shiloh too well, he began a slow and cautious advance on Corinth. Each night the army encamped behind entrenchments. The delay was of priceless benefit to Beauregard, who removed all the army and much of the private property from the doomed city. On June



1, Halleck occupied the empty shell. But the Confederacy had lost all of middle and west Tennessee, for Memphis could not stand after Island No. 10 and Corinth had fallen. Only disaffected east Tennessee remained in Confederate hands. Upper Mississippi was also gone, and Buell pushed a division as far South as Huntsville, Alabama, seizing the Memphis and Charleston Railroad.

### 3. OPERATIONS ON THE WATER

While the West was rapidly slipping from Confederate hands, operations on the water were cutting off supplies from Europe and making costly inroads along the coast. At the beginning of the war, General Scott had advised Lincoln to inaugurate a policy of constriction by which the army and the navy would work together. The navy would blockade the coast, and its gunboats would co-operate with armies which would push up the Southern rivers while other armies would advance southward on either side of the mountains. Thus the Confederacy would be pushed into the region of southern Alabama, where the combined Union armies would deal the final blow to the Southern forces. Although never formally adopted, this "Anaconda Plan" embodied the natural strategy for the North, and in essence was the plan followed by the Union commanders.

The war on the water paralleled the conflict on land. Lincoln's blockade was proclaimed on April 19, 1861, although it did not become effective for some months. The Confederacy, with no navy, commissioned 20 privateers to prey upon Northern commerce. In August, 1861, came the first of the combined land and water attacks which were to prove so damaging to Confederate

hopes for outside aid and supplies. Hatteras Inlet, at the mouth of Albemarle Sound, had two forts, Clark and Hatteras. On the 29th these surrendered to a bombardment of naval vessels and a siege of land troops commanded by General Benjamin F. Butler.

With this beginning, the Federal navy began a rapid conquest of the Southern seacoast. On November 7, Port Royal in South Carolina was taken and became a base for the blockading squadron before Savannah and Charleston. The conquest of the Atlantic coast was completed early in the next year. In February Roanoke Island, between Pamlico and Albemarle Sounds, was taken, and the towns along the coast fell in rapid succession. With this accomplished, only Wilmington, North Carolina, at the mouth of the Cape Fear River, remained to the Confederacy. Fort Pulaski at the mouth of the Savannah River was taken in April, and the efforts of the Union naval forces were centered on the Gulf Coast.

Before the Gulf Coast campaign began, however, the Confederates definitely challenged—and lost—the control of the seas. When the Norfolk navy yard had been burned as Virginia seceded, the 40-gun frigate *Merrimac* had burned to the water's edge. Secretary Mallory, however, had sponsored a proposal to convert the hull into an iron-clad vessel. Through the winter and spring of 1861-62 work had gone on, and on March 8 the vessel was ready to begin operations. Barely rising from the water, the newly named *Virginia* mounted ten guns in a superstructure whose sloping sides gave the impression of a grotesque terrapin. Capable of a speed of only five knots, the vessel steamed out to meet Union vessels anchored off Newport News and Old Point Comfort. One

Federal vessel was rammed and another run aground by the *Virginia* before nightfall. On the next day, as the *Virginia* steamed out to finish the destruction of the fleet, she was met by a craft as strange in appearance as herself. The Federal Government had been experimenting with iron-clads, and had ready the *Monitor* to meet the Confederate challenge. A "cheesebox on a raft," the Union defender was of lighter draft and of greater speed. The battle on the 9th was a harmless duel. Neither ship could injure the other, but the *Virginia's* threat to the Northern navy was nullified. A few weeks later, the clumsy Confederate was run aground and burned. The Federal ships were henceforth unmolested in their dominance of the water.

On the Gulf Coast, Union operations began in September, 1861, with the capture of Ship Island, off the Mississippi coast, from which base the blockade of New Orleans could be made effective. In April Captain David Farragut began an attack upon Fort Jackson and Fort St. Philip at the mouth of the Mississippi. Failing to reduce the forts, Farragut ran past them and pushed on to New Orleans. With little resistance he took the city, and on May 1 General Butler landed to take over the military governorship of the South's greatest seaport. Farragut steamed on to take Baton Rouge, Louisiana, and Natchez, Mississippi, and then on to co-operate with the gunboats which were descending the Mississippi River. Only Vicksburg remained as a link to hold the almost dis-severed Confederacy together.

In New Orleans, General Butler proceeded to bring order out of political, economic, and social chaos. His military career had hitherto been marked by aggressiveness, efficiency, and tactlessness. He had overawed

Annapolis and captured Baltimore while leading his Massachusetts troops to answer Lincoln's first call for volunteers; he had commanded at the battle of Big Bethel and had taken Roanoke Island with efficient dispatch; he had contributed the word "contraband" to the war's vocabulary; and he had neglected no opportunity to place himself in the limelight. In New Orleans he administered his new district with a dramatic instinct for publicity. When an overzealous citizen cut down the United States flag, Butler had him hanged. When the women of New Orleans refused to hide their dislike of Northerners and insulted soldiers in the streets, the general realized that arresting them would bring a rebellion. Seeking a method of dealing with the problem, the ingenious commander issued his infamous "woman order" declaring that any woman insulting a Federal soldier should be regarded "and held liable to be treated as a woman of the town plying her vocation." The order was effective in restraining the women, but it brought upon Butler's head the condemnation of the world. In England he was condemned, and President Davis issued a proclamation outlawing Butler and his officers, forbidding them the right to be treated as prisoners of war if captured. Thereafter "Beast" Butler was anathema to the Southerners, but his dramatic career continued. He ordered an amended version of Andrew Jackson's Jefferson Day toast—"Our Federal Union, It must and shall be preserved"—inscribed on Jackson's monument, and he cleaned up the miasmatic swamps which spread yellow fever over the city. Although Butler himself does not seem to have received money, his brother and some other speculators made fortunes out of cotton permits which the general issued. Persistent legend alleges that Butler—also known by the

nickname "Spoon"—carried off the silverware of most of New Orleans's fine old mansions.

#### 4. DECLINING CONFIDENCE

While disaster and defeat met the Southern arms in the Mississippi Valley and along the seacoast, the "permanent" government of the Confederacy was meeting internal difficulties equally as serious for Southern success as its military failure in the West. Three factors entered into the situation to embarrass the Southern Government in the conduct of the war. One of them was the personality of Jefferson Davis, another was the secrecy which surrounded the government, and the third was the never-slumbering sense of States' rights.

President Davis never understood the necessity of molding Southern opinion in support of the government. He made no effort to conciliate men and reconcile opposing views. Unlike Lincoln, he was not a master of men. He understood the physical limitations upon his position, but was never able to marshall the morale of the people to overcome them. Opposed by Rhett, of the *Charleston Mercury*, and Pollard, of the *Richmond Examiner*, at every step, he never made an effort to conciliate these articulate antagonists. Davis was a constitutionalist, holding on to his power and limiting himself by a close adherence to the letter of the law without ever understanding that the exigencies of the situation demanded a departure from the strictest interpretation of the fundamental law. Combined with this unbending adherence to principles and his lack of dramatic appeal, the President was in poor health. Frequently his dyspepsia prevented either good judgment or good temper.

The Confederate Government as a whole failed as signally as the President in rallying the people in the Southern cause. While Lincoln's government was rationalizing the war in terms first of saving the Union and then of a war for democracy—"that government of the people, by the people, and for the people might not perish from the earth"—the Confederate propagandists contented themselves with arguments based on constitutional interpretation or in appeals to defend Southern homes from invasion. The Confederate Government, in contrast with that of the Union, never measured up to the psychological demands of the situation. Among a people noted for their individualism, the government made no effort to secure the voluntary co-operation of its constituents. Secrecy characterized its actions; and in the absence of news, rumors floated freely. Months after the beginning of the war Davis was criticized for not having attempted to purchase supplies in Europe, although one of the President's first acts had been to dispatch purchasing agents abroad. The Southern people waited impatiently for an advance after Manassas, all unknowing that the failure which was freely ascribed to cowardice was occasioned by a lack of supplies. Such things engendered a distrust which was strengthened by a strict censorship of the press. Southern newspapers did not print news of Donelson until after the inauguration of the permanent government, and the loss of Roanoke Island was suppressed for weeks. William L. Yancey, returning from Europe, went into the Confederate Senate to labor in vain for the abandonment of secret sessions. To all arguments for taking the people into the confidence of the government, the administration replied that such information would benefit the enemy.

With the government failing to inspire the people with faith, the adherents of States' rights took advantage of the growing distrust. In April, 1862, Davis recommended a conscription law to Congress. The enlistments of the 12-month volunteers was about to expire, and the recent disasters were no encouragement to new enlistments. Conscription was an obvious necessity, and Congress hurriedly passed a conscription act. By the law, all male citizens between the ages of 18 and 35 were liable to conscription for the duration of the war. The volunteers already in the ranks were kept in their organizations. This law met the approval of some of Davis's most captious critics, but the act itself carried the seeds of more discontent and distrust. Exemptions were allowed to newspaper editors, teachers, pharmacists, ministers, and owners or overseers of 20 slaves. These exemptions raised the suspicion that the conflict was to be "a rich man's war and a poor man's fight"—a suspicion which was fed by the provision that allowed substitutes for conscripted men.

The enactment of the conscription law gave "States' rights" men an opportunity. Georgia's Governor Joseph E. Brown proclaimed that a blow had been struck at constitutional liberty, and Vice-President Stephens's younger brother stirred up his State's legislature to back their governor almost to the point of rebellion. Governor Zebulon B. Vance of North Carolina also raised objection to North Carolina soldiers serving under officers who were not natives of the State.

Although these factors were destined to destroy the Confederacy, they appeared but minor irritants in the summer of 1862. The concentration of attention upon military events in the eastern theater of the war caused

both government and people to ignore internal disaffection as well as disaster in the West. This lack of perspective was the fatal defect of the Confederacy.

## 5. VICTORY IN THE EAST

While the western armies of the Confederacy were falling back before Grant's victorious army and the sea-coast was falling before the slowly strangling advance of the Federal navy, the war in the East was bringing momentary victory to the South. Throughout the winter of 1861-62 the eastern armies had lain motionless. General George B. McClellan, called to Washington from western Virginia and placed in command of all the Northern armies, had improved his time by bringing the troops before Washington to a high state of discipline. His apparent inaction annoyed Lincoln, however, and the President issued orders for all the Federal armies to advance on February 22. Since the condition of the Virginia roads prevented action, Lincoln consented to a slight delay.

President Lincoln's lack of confidence in McClellan and his constant interference with the army was of definite benefit to the Confederacy. Upon studying the Virginia terrain, McClellan perceived that the land between Washington and Richmond was thickly covered with shrubs and second-growth timber. Moreover, the innumerable small streams and rivers, running approximately from west to east, would render difficult the overland advance of an army upon the Confederate capital. The country through which such an army must pass was admirably adapted for defense against an invading army. Instead of taking this route, the Union commander pro-



posed to establish a base at Fortress Monroe and advance upon Richmond up the peninsula between the York and the James Rivers. In this way his line of supplies would be upon water and safe from Confederate raids.

Lincoln's comprehension of this military plan was inhibited by a fear that such a disposition of the forces would leave Washington exposed to Confederate attack. He gave McClellan permission to begin the peninsular campaign only on the condition that sufficient troops be left behind to protect the capital. Just as the general was starting his movement, the President took an additional 40,000 men from his command to man the city's defenses. At the same time Lincoln reorganized the armies and put the Federal troops in western Virginia and the Valley under separate commands. Unable to command the co-operation of these armies and weakened by the loss of troops, McClellan decided to approach Richmond by siege operations rather than in an aggressive campaign.

The Union general's fundamental weakness was his tendency to overestimate the numbers of his opponents. General Joseph Johnston could barely muster half of the invader's 90,000 men, and but a fraction of them could be thrown into the peninsula. McClellan's determination to adopt siege tactics enabled the Confederates to defeat his purpose. Early in April McClellan's cautious advance began. The Confederate forces under General John B. Magruder made a show of defending Yorktown, but, after taking a month of Federal time, abandoned the village and fell back to Williamsburg. This too was abandoned as the Union forces attacked and the Confederates retreated toward Richmond. McClellan set up his headquarters at White House Landing, a colonial

home on the York River 20 miles from Richmond. From here the Union forces advanced to the Chickamauga River, which ran diagonally across the peninsula about ten miles from the Confederate capital. At the same time, Federal gunboats advanced up the James River, where they were stopped by the batteries at Drewry's Bluff. Had McClellan co-operated with this expedition, the defense might have been taken; but the general clung to the banks of the York in order to unite with McDowell, who was expected to approach overland from Washington.

Although Lincoln had ordered McDowell to Fredericksburg in expectation that he would join McClellan, the sudden outbreak of activity in the Valley of Virginia brought a change of plans. At Staunton, in the lower end of the Valley, Stonewall Jackson commanded 19,000 men to oppose Frémont with 15,000 men in West Virginia and General N. P. Banks with 19,000 further down the Valley. At Harpers Ferry, at the other end of the Valley, there was a Union force of 7,000. Realizing that a diversion was necessary to save Richmond, Jackson began a sudden movement which paralyzed his opponents. First he turned to the west, where he struck Frémont's advance under Milroy, driving it back upon the main army. Then, hurrying into the Valley, he marched swiftly north to attack Banks at Strasburg. Banks had been weakened by having men sent to McDowell's army, and was unable to fight. He fell back to Winchester, where Jackson fell upon him and drove his army in confusion to Harpers Ferry on the Potomac.

Consternation in Washington caused Lincoln to retract McDowell's orders to join McClellan. Instead, he was ordered to send troops into the Valley to co-operate

in trapping Jackson. Before Frémont, coming from the west, could join Shields coming from the east at Strasburg, Jackson slipped between them. Then, with sharp fights at Cross Keys and Port Republic, he stopped each of his opponents and made secure his retirement to the upper end of the Valley. In a month's fighting he had disrupted McClellan's campaign and was safely back where he had started.

Before Richmond, McClellan continued his heavy-footed advance. His picket lines were in sight of Richmond, and his army was straddling the swollen Chickamauga, when on May 31 Johnston attacked two exposed corps at the Battle of Seven Pines and drove them from their position. During the battle Johnston was severely wounded, and the next day as the Federals regained their losses, Robert E. Lee assumed command of the armies.

Lee's first action was to entrench before Richmond, and McClellan moved to destroy the Confederate line by artillery and siege tactics. Realizing that this would be successful, Lee planned an audacious counter-attack. First, Lee sent Colonel J. E. B. Stuart with 1,200 cavalry to scout McClellan's lines of supply. Stuart set forth and rode completely around the Federal army, crossing the peninsula and returning to Richmond. Then, with the information which Stuart brought, Lee called Jackson for a conference. Near Richmond, Lee held council of war with Jackson, James Longstreet, D. H. Hill, and A. P. Hill, unfolding to them a plan to drive the enemy from the peninsula. Jackson would slip from the Valley and strike the Union forces on the right flank while Hill's and Longstreet's divisions would follow up the attack.

Jackson eluded his enemies in the Valley without difficulty, but he was a day late in arriving on the battle-

field. On June 26 A. P. Hill had moved against the Union lines at Mechanicsville but was beaten back. The next day Lee's four subordinates fell upon the Federals at Gaines's Mill and drove them from their position. McClellan might have pushed forward to Richmond, but instead he changed his base from the exposed White House Landing on the York to Harrison's Landing on the James River. Delaying a day, Lee pursued, fighting an indecisive battle at Savage's Station on June 29 and being stopped at Frayser's Farm on the 30th. Then Lee followed and on July 1 attacked the Federals in strong position at Malvern Hill. The battle was a Union victory.

In these "Seven Days' Battles" Lee lost over 20,000 men while his opponent lost a little under 16,000. But the first assault on Richmond had been beaten off, and the Northern Government had lost confidence in its commander. As a result, Lincoln left McClellan with a handful of men at Fortress Monroe while he created a new army to march from Washington to Richmond.

This new Federal army was placed under the command of General John Pope, who had successfully taken Island No. 10 in the Mississippi. In July Pope, boasting that he had come from the West, where he had "always seen the backs of our enemies," marched his army of 50,000 past the old battlefield of Manassas to Culpepper. At Gordonsville, protecting the line of railroad which ran from Richmond into the upper Valley, Jackson had 24,000. Cutting around Pope's flank to Cedar Mountain, Jackson struck Banks, who was bringing 8,000 reinforcements for Pope. Lee hurried on to Gordonsville to strike Pope before the men from McClellan's army could be brought up the Potomac. But Pope captured Stuart's dispatch

book, learned of the plan, and fell back beyond the Rappahannock River.

With Lee's army momentarily equal to his opponent's, the Confederate leader planned to engage in battle. Jackson's fleet infantry, proud of the rapid movement which had earned them the name of "foot cavalry" marched off to cut in above Polk's rear. Pope's first knowledge of his danger came when Stuart's cavalry captured Bristow Station, near Manassas Junction, and destroyed the Federal line of supplies. Pope fell back toward Washington, preparing to crush Jackson at Manassas. But Jackson was not at Manassas, and as Pope marched out, the elusive Confederate fell upon him. The battle that day was indecisive, but Longstreet, with the rest of Lee's army, came on the field. Completely misinterpreting the situation, Pope believed he was pursuing a small part of the Confederate forces. On August 30 he attacked again, part of the battle being fought over the field which had witnessed the Federal defeat the previous year. Decisive defeat again met the Federal armies, and during the night they retreated toward Washington. There was no rout, as after first Manassas, but the outcome was more decisive. With Richmond saved, Lee prepared to invade the North.

The moment was auspicious for aggressive action. In the western theater the Confederacy was making a new attempt to recover lost ground. After the Union advance which had cleared middle and western Tennessee, the armies of Grant and Buell had ceased their advance. The interlude was used by the Confederates to rally men and strengthen armies for counterattack. Along the Mississippi the armies of Price and Van Dorn raided

Grant's district and caused Butler to abandon Baton Rouge. Further to the east, Braxton Bragg assembled 35,000 men in the mountain fastnesses of Chattanooga, from which on August 28 he proceeded to march northward into Kentucky to threaten Buell's lines of supply. Buell was forced to fall back from Nashville to meet the threat.

With the western armies so well occupied with their own affairs, Pope's army disorganized, and Washington in such panic that government clerks were manning the city's ramparts, Lee's task seemed easy. Giving his army a day's rest, he turned them toward the Potomac. His plan was to invade Maryland, advance to Hagerstown, and then threaten Harrisburg or Baltimore. On September 5 Jackson's corps crossed the river, and the next day they were in Frederick. Contrary to their hopes, the ragged and unshod army inspired but few Marylanders to join the ranks. Then Lee ordered Jackson to turn west, take Harpers Ferry and Martinsburg, and open up a line of communications through the Valley. On the 15th, the garrison at Harpers Ferry surrendered to Jackson.

In the meantime, Lincoln had recalled McClellan to command the army about Washington. With his accustomed slowness, McClellan pushed out toward Lee's army, reaching Frederick on September 12. Here he learned that Lee had divided his army. Planning to put himself between them, he moved cautiously to South Mountain. On the 14th there was fighting, and on the next day Jackson began to return to Lee. Had McClellan attacked on the 16th, he might have defeated Lee; but he delayed, and on the 17th Jackson's men were in line. Then McClellan attacked Lee's army about Sharps-

burg, along Antietam Creek. Tactically the battle was indecisive. Lee lost 8,000 of his 40,000 men, while McClellan's army of 70,000 lost 12,000. But reinforcements came to the Federals, while Lee could hope for none. There was nothing for the Southerner to do but return to Virginia. Despite Lincoln's urgent pleas McClellan allowed his adversary to recross the Potomac. The first Confederate invasion of the North was at an end.

In the meantime, Bragg's movement into Kentucky had met with disaster. A supporting movement of Kirby Smith's command had already pushed into Kentucky from Knoxville before Bragg left Chattanooga. Buell drew in his garrisons from the South, and both armies pushed on towards Louisville. Gathering his forces while the Confederates wasted time inaugurating a governor for Kentucky, Buell returned to the attack. On October 8 the armies met at Perryville, where with the fewer losses Bragg drove Buell's forces from the field. The tactical victory was, however, a strategic defeat. Unable to hold the position, Bragg and Smith fell back into Tennessee.

In both East and West the failure of the Union commanders to follow up their victories brought their removal. In the East, Ambrose Burnside replaced McClellan, and W. S. Rosecrans took Buell's armies. Both were ordered to advance: Burnside to Richmond, and Rosecrans to east Tennessee.

After his retirement from Maryland Lee remained at Fredericksburg. On December 13, Burnside attacked the Confederate position in the face of Confederate artillery. Charge after charge rolled against the Confederate entrenchments only to be driven back. Twelve thousand Union men were lost that day, while Lee's army lost but

5,000. Two days later, Burnside withdrew and handed in his resignation. In January he was removed and Joseph Hooker took command.

In the West, Rosecrans remained in Nashville while Bragg entrenched Murfreesboro. On the day after Christmas the Federal army left Nashville. On December 31 it was before the Confederates at Stone's River. The fight that day seemed a Confederate victory, but Rosecrans did not abandon the field. On January 2 Bragg attacked, but he was defeated and forced to retire to Chattanooga. By the close of the year central and west Tennessee were again in the hands of the Union armies.

## 6. DIPLOMATIC FAILURE

While the Southern armies battled with varying success, the diplomatic representatives of the Confederacy were busy in a futile attempt to secure European aid. After their release by the Northern Government, Mason and Slidell made their way to London and Paris to present the Confederate case.

In England the upper class had long felt a kinship with the South's landed aristocracy and were inclined to welcome Mason and support his pleas for recognition. The cotton capitalists, upon whom the Confederacy pinned great hopes, were sympathetic but were in large part balanced by the speculators who were holding the surplus cotton from the large crop of 1859 in British warehouses in expectation of a rise. The dealers in war supplies, too, had no desire to interfere with the profits which came to them through the continuance of the American conflict, while British shippers, picking up the business which



fell from the hands of their Yankee competitors, were inclined to prefer profits to the hazards involved in recognizing the Confederacy. In international affairs the constant suspicion with which Her Majesty's Government regarded the second French Empire prevented the government from giving assistance to the Southerners, while the precarious political position of the coalition cabinet caused the ministry to pursue a hesitant policy. Mason found much sympathy and little assistance in England.

Soon after his arrival Mason was privately received by Lord John Russell. At this and subsequent interviews Mason exerted his best efforts to persuade the British foreign minister to declare the blockade ineffective. Secretary Benjamin kept his agents fully posted on the number and size of the vessels which ran the blockade to Confederate ports, but the British could never be persuaded to denounce it. Mason soon concluded that Russell was personally opposed to the Confederacy and would do nothing to extend aid. Seemingly, the British officials were fully determined upon an impartial neutrality, for at the same time Charles Francis Adams found that the government's sympathies were all with the Confederacy.

Considerably more hopeful was the situation which Slidell found at the Court of Napoleon III. The Emperor's personal sympathies were with the South, and he was willing to recognize the Confederacy or to denounce the blockade, but only in co-operation with England. In April Napoleon declared that he was willing to join in sending a fleet to open up the Mississippi. Lord Russell, however, refused to receive this message because the Emperor sent it through a member of Parliament rather than through the regular diplomatic channels. Napoleon explained to Slidell, whom he saw often, that a sim-

ilar communication to Russell had earlier been sent to Lord Lyons in Washington and given to Secretary W. H. Seward. In July, however, Slidell persuaded the Emperor to send Russell a formal request for joint action on recognition. Mason brought what pressure he could, but Russell pointed out that the United States had taken New Orleans and refused Mason an interview. Benjamin ordered Mason to make no more advances to the stubborn minister.

In the meantime the government took no steps to prevent the Confederates from obtaining supplies from England and her possessions. At Nassau and other West Indian ports Confederate agents gathered stores of supplies to be loaded upon the low, swift ships which were proving efficient runners of the Federal blockade. In March a cruiser built for Captain James D. Bulloch, the Confederate purchasing agent, sailed from Liverpool. Evading the letter of the British foreign enlistment act, the vessel sailed without armament but in the Bahamas picked up armament and crew. Renamed the *Florida*, it sailed the seven seas as a commerce destroyer. Over 40 American merchant vessels were captured before her career ended. Meanwhile, another vessel, known on the ways of the Laird shipyards as "No. 290," was openly being built for Captain Bulloch. Minister Adams and the American consul sedulously gathered information to prove that the ship was intended for the Confederacy, but late in July, before the law officers of the Crown were able to make a report, the ship sailed forth on a trial voyage never to return. In the Azores she was renamed the *Alabama* and armed and manned for a career which lasted for two years, during which she destroyed 57 vessels, released others for ransom, and did an estimated \$6,750,000

damage to Northern ships. As a result of her activities, rising insurance rates aided the work of driving American commerce from the seas.

The hope which the Confederate commissioners got from Adams's discomfiture in the *Alabama* case was raised still higher in September, when the question of recognition came up again. When the news of the second Manassas battle reached England, Palmerston, the Prime Minister, and Russell agreed that the time had come to offer mediation. A Cabinet meeting was called to consider action, and before it met Gladstone, Chancellor of the Exchequer, speaking at New Castle, declared, "There is no doubt that Jefferson Davis and other leaders of the South have made an army; they are making, it appears, a navy; and they have made, what is more than either—they have made a nation."

Unfortunately, this speech stirred friends of the North to protest, and members of the Cabinet hesitated to adopt a more aggressive policy. Moreover, the news of Antietam was received before the Cabinet meeting and confirmed the desirability of remaining inactive. The Cabinet meeting decided to postpone action, and Slidell again besought Napoleon to make a new move. Late in October the Emperor told Slidell that he could not trust England and suggested a joint offer of mediation by France, England, and Russia. Slidell feared that Russia's sympathies were with the United States, but Napoleon III made the suggestion to both courts. The Russian government declined the suggestion without discussion, but the English Cabinet considered the matter at length. Only Gladstone and Russell were in favor of the Confederacy, and the proposal was rejected.

Once again Slidell turned to the French Emperor, this

time proposing that he should take the initiative in recognizing the Confederacy. It was certain, said the Confederate, that the other powers would follow his example. Napoleon formally offered mediation to the Lincoln Government early in January, but the offer was refused. Fearing to go further without England, Napoleon dropped the matter.

## 7. EMANCIPATION OF THE SLAVES

Closely connected with these diplomatic maneuvers, and inspired primarily by a desire to obtain foreign sympathies, was Lincoln's Emancipation Proclamation. At the beginning of the conflict the official position of the United States was that the war was for the purpose of saving the Union. Lincoln's first call for militia had specified that they were to be used to protect public property. This preservation of the Union was the official dogma of the government until the late summer of 1862 despite the efforts of abolitionists to insert the slavery issue and the charge of Democrats and Southerners that the Republican party was waging war for the abolition of slavery.

In 1861 John C. Frémont, commanding in Missouri, issued a proclamation freeing the slaves of secession sympathizers in the region under his command. Fearful that Kentucky and Maryland would secede if slavery could be abolished by a military commander, Lincoln asked Frémont to recall his order. With an eye on the political support of the abolitionists, Frémont refused. Lincoln immediately recalled the order and removed Frémont from command. Henceforth, Frémont was the idol of the abolitionists, who were disgusted with Lincoln's

timorous policy. A similar withdrawal of an order issued by General Hunter in South Carolina convinced the abolitionists of his own party that Lincoln could not be relied on.

Just before Frémont's order, Congress passed the first confiscation act, which gave freedom to slaves who were employed in military activities and working on fortifications. General Butler, commanding at Fortress Monroe, used captured Negroes on his own works; and when a Confederate colonel appeared outside his lines asking for the return of fugitives, the ingenious Federal refused on the ground that such escaped slaves were "contraband of war." The legality of this definition was dubious, but the humor of it appealed to the Northern people, who thereafter dubbed all escaped slaves "contrabands."

The pressure of the radical abolitionists within his own party caused Lincoln to make gestures to appease the agitators who would change the purpose of the war. In March, 1862, he proposed to Congress that appropriations be made to compensate slave owners in the loyal States of Kentucky, Missouri, Maryland, Delaware, and the District of Columbia. He estimated the cost at \$173,000,000. Although this suggestion was not satisfactory to the abolitionists and was opposed by the Democrats, Congress passed a bill for compensated emancipation in the District of Columbia.

In July, Congress passed a second confiscation act, which gave freedom to the slaves of those in the Confederate armies and provided for settling them on confiscated and abandoned lands in the possession of the Army. At the same time, Lincoln faced the problem of what to do with the slaves in the event of their obtaining freedom. Knowing well, and perhaps reflecting in his own person,

the attitude of the small farmers of the Middle West, Lincoln realized that the free Negro would not be received on terms of equality by the whites. He therefore proposed colonization outside of the United States, and several times considered sending the Negroes to various places which were suggested to him. The colonization schemes were as distasteful as compensated emancipation to the orthodox abolitionists.

Finally coming to the conclusion that the war for the Union had little merit in international affairs, Lincoln decided to issue a proclamation freeing the slaves in the Confederate States. In July he read his Cabinet a proposed proclamation which received almost full approval. Seward, however, suggested that its issuance at a moment of defeat would be interpreted as an act of desperation and an invitation to slave insurrection. Convinced that the time was not auspicious, Lincoln decided to wait for a Union victory.

While waiting, the New York *Tribune* published an "Appeal to Twenty Millions" written by the editor, Horace Greeley. The editorial demanded immediate abolition. In reply, Lincoln assured the editor that he had but one purpose—"I would save the Union. . . . If there be those who would not save the Union unless they could at the same time save slavery, I do not agree with them. If there be those who would not save the Union unless they could at the same time destroy slavery, I do not agree with them. My paramount object in this struggle is to save the Union, and is not either to save or destroy slavery. If I could save the Union without freeing any slave, I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would also do that.

What I do about slavery and the colored race, I do because I believe it helps to save the Union; and what I forbear, I forbear because I do not believe it would help save the Union. I shall do less whenever I believe what I am doing hurts the cause, and I shall do more whenever I shall believe doing more will help the cause. I shall try to correct errors when shown to be errors, and I shall adopt new views so fast as they shall appear to be true views."

Despite this insistence that the salvation of the Union was his sole purpose, both the international situation and that in the Republican party made the President impatient for a victory. Although it was hardly decisive, Sharpsburg seemed to offer a sufficient excuse. Perhaps the fact that neither Maryland nor Kentucky received the Confederate armies with enthusiasm reassured Lincoln. On September 23 he issued a preliminary Emancipation Proclamation, announcing that all slaves in the States still in rebellion after January 1, 1863, would be free.

The Proclamation was issued in the face of approaching elections, and the victory of the Democrats in November indicated that the Northern people did not approve of the change in the purpose of the war. The unification of the Republican party, however, was obtained. In the South, Davis received the news of the Proclamation with scorn for a foeman who would appeal to slaves to rise against their masters. One immediate effect of the Proclamation was to produce more Southern support for the Confederacy. Conservative men who had not been convinced by Southern charges that the Republicans were an abolitionist party came out in support of the Confederacy. T. A. R. Nelson, east Tennessee's Union

leader, for example, was henceforth as ardent as any original secessionist for the Confederate cause. Legalists were sure that the President had no right, even under a liberal interpretation of the war powers, to issue such a proclamation. Realists then and later pointed out that it freed no slaves; it did not apply within the regions held by the Federal Army, and in other regions the Lincoln government had no jurisdiction. It was evident to all, however, that henceforth the North was waging a war for the abolition of slavery.

In Europe the first reaction to the preliminary proclamation was similar to that of the South. Pointing out that Lincoln was not condemning slavery in the abstract but only when it was practiced by his enemies, the friends of the South ridiculed the futile gesture; but by the time of the final proclamation, the friends of the North had aligned popular sentiment on Lincoln's side. Throughout the rest of the war, the Northern propagandists in Europe had an effective moral issue upon which to base an appeal. In the next year, the psychological implications of Lincoln's move were to be seen in hundreds of mass meetings of Federal sympathizers.

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## CHAPTER XIX

### THE WAR IN 1863

#### 1. VICKSBURG

**W**HILE Lee was winning victories in Virginia and the center of the far-flung Confederate line was being pushed back to Chattanooga, the final phase of the Federal attack on the Mississippi River began. At Vicksburg and Port Hudson in Mississippi, General J. C. Pemberton had a little over 30,000 men to resist the advance. General Johnston, recovering from his wound, went to Chattanooga in November to take command in the West. He immediately ordered General T. C. Hindman, in Arkansas, to re-enforce Pemberton. But Hindman was defeated in a battle at Prairie Grove and could not assist, and Bragg's army was too weakened to help defend Vicksburg.

Vicksburg was situated on a bluff which commanded a bend of the Mississippi. On the northern and western sides there were swamps crossed by many streams. Against this port General U. S. Grant planned to advance overland, with most of his army being transported by water. To support this movement, he established a base at Holly Springs, Mississippi. Late in December Van Dorn destroyed this base while General N. B. Forrest destroyed the railroad which led south from the Federal headquarters at Columbus, Kentucky. Grant's advance

under W. T. Sherman was defeated when it tried to storm the heights above Vicksburg and the expedition withdrew.

Prevented from approaching the Confederate citadel from the north, Grant decided to take his army below the city and advance on the high ground to the south. This involved getting his army past the bluffs. During the winter of 1862-63 he kept busy digging a canal across a bend of the river which would turn the course of the river and permit the army to pass below the town. But the river would not go into the artificial channel, and a new scheme was devised. The naval officers on the river proposed running the batteries and establishing a base below the city. The army could be marched down the Arkansas side, crossed over to the Mississippi side below Vicksburg, and marched north to besiege Pemberton. In March, Farragut moved up from New Orleans to threaten Port Hudson, and on the night of April 11 the Federal gunboats ran the batteries. On April 30 Grant crossed the river with 20,000 men and almost immediately began to march against Vicksburg.

Johnston favored concentrating his army to defeat Grant, but President Davis interfered to forbid even the temporary abandonment of the river ports. Johnston went to Jackson, Mississippi, to take command, and ordered Pemberton to join him. But Pemberton delayed, and Grant struck at the Mississippi capital, which he took and destroyed. Grant then turned against Pemberton, defeated him at Champion Hill, and drove him back into Vicksburg. Here there were ample defenses which the Federal commander was unable to take by direct assault, but he settled to siege tactics. With over 100,000 men he slowly advanced with pick and shovel against Pemberton's 27,000 defenders. The besieging army had ample

supplies; the besieged only those which were in the city. Starvation worked on the side of the invaders, while Johnston struggled in vain to marshal an army to raise the siege. On July 3, Pemberton asked Grant for terms, and on the next day he surrendered the city. Five days later, the besieged garrison at Port Hudson, unable to hold out after Vicksburg was gone, surrendered. The Mississippi River was in Federal hands from source to mouth, and the Confederacy was cut in two.

## 2. CHANCELLORSVILLE TO GETTYSBURG

During the months which witnessed the Confederate failure in the West, the armies in Virginia won victories. After Fredericksburg, Joseph Hooker took command of the Federal armies in the East and decided on another effort to march overland from Washington to Richmond. His army, encamped in winter quarters along the Rapahannock, had grown to 130,000, while Lee at Fredericksburg had 60,000. Late in April, Hooker began his movement by crossing the river and sending one wing to threaten Lee's rear. But once he had made contact with Lee's army, Hooker began to doubt and withdrew his greatly superior army to Chancellorsville, where he waited attack. On May 2, Lee began a skillfully directed battle. By nightfall Jackson had defeated one wing of Hooker's army. But that evening, as Jackson was returning from a reconnoitering expedition, he was shot by his own sentinels. Unconscious, he was taken to a hospital, where he died on May 10. The loss of the daring general was the greatest of the many catastrophes of the year. On the next day, the battle was resumed, and the saddened Confederates drove the Federal army from the

field. On the fourth, Lee completed the work of driving the Union forces back across the river.

With victory, the Confederate officials realized that aggressive action must be taken. At the moment, Grant was beginning his slow but sure movement against Vicksburg, Rosecrans was pressing against Bragg in Chattanooga, and the Southern people were thoroughly aroused against the government. In foreign affairs there was also a crisis, while in the North there was a growing opposition to the conscription which was about to begin. From every standpoint it was desirable that the war be carried into the North, although there was a considerable sentiment for re-enforcing the armies in the West in order to force Grant to withdraw from Vicksburg. General Longstreet was especially insistent that action should be taken to relieve the West.

Both Lee and Davis preferred a Northern invasion. On June 3 the first of Lee's army, under Longstreet, moved from Fredericksburg. The early part of the movement was hidden by a cavalry raid by General J. E. B. Stuart, who thoroughly alarmed Washington. But Stuart captured a wagon train near the Federal capital which he determined to bring back with him. This effort so delayed him that Lee's army was deprived of its cavalry and forced to march blindly into the enemy's country. Meanwhile, General R. S. Ewell had advanced across Maryland to Harrisburg, Pennsylvania, from which he was recalled by Lee, who had reached Chambersburg, further to the east. This concentration was made necessary by the unexpected speed which the Union army showed in moving to defend themselves. While panic reigned in Washington, Baltimore, and Philadelphia and draft riots brewed in New York, Hooker's army was hastily reorganized and

placed under the command of General George Gordon Meade. On June 30, Meade led the army into Pennsylvania, and Lee immediately ordered his army to Gettysburg. On July 1, the Confederate advance met the van of the Union army, and there was hard fighting. To the battlefield hastened the main body of both armies. On July 2 and 3 the Confederates strove in vain to dislodge the Federal forces from the hills about the village. Despite the grim heroism of the men of General George Pickett's division, who made the most gallant and dramatic and futile charge of the war, the Confederates were defeated. Throughout July 4 the Southern army lay stunned; on the morning of the 5th they began a retreat into Virginia. The second Confederate invasion of the North had been more disastrously defeated than the first. With Vicksburg falling simultaneously, the last hope of the Confederacy was gone. Thereafter they could only battle in desperate hope that the North might grow tired of the conflict.

### 3. CHICKAMAUGA AND CHATTANOOGA

After Gettysburg the armies in the East remained inactive while all eyes in the South were directed to the series of events which were breaking the center of the Confederate line. After Stone's River, early in the year, Rosecrans held his army of 70,000 in Nashville, facing Bragg, who was protecting Chattanooga. Late in April a cavalry raid by Colonel A. D. Streight attempted to pass to the rear of the Confederate army, but Forrest pursued the Federals and fought a running fight until, near Rome, Georgia, Streight surrendered. On June 23 Rosecrans began to advance, flanking Bragg out of his base

at Tullahoma and forcing him back into Chattanooga. In August Rosecrans moved his army across the Tennessee River at Bridgeport, Alabama, and marched toward the mountains to the south of the Confederate stronghold.

Chattanooga was located on the left bank of the Tennessee River at the point where the river, after flowing south from the vicinity of Knoxville, turns at Moccasin Bend to take a generally westward direction. On all sides the town was surrounded by mountains. To the west, across the river, was Signal Mountain; to the north and east, on the left bank, was Missionary Ridge; to the south was Lookout Mountain, which ran far down into Georgia. Bragg expected an attack from the north, where Burnside had just occupied Knoxville. But Rosecrans came up from the south and determined to cross over Lookout Mountain far from the Confederates. This movement threatened Bragg's communications with Atlanta, and the Southerner was forced to move out of Chattanooga to give battle. As he moved out, a Federal corps moved in to occupy the town. Bragg, however, had delayed too long. Had he attacked earlier, he might have defeated Rosecrans's army while divided; but when he attacked Rosecrans on September 18 at Chickamauga Creek, the Federal forces were concentrated against him.

In one of the few cases during the war, the Confederates outnumbered their opponents. Bragg's army had 66,000, while Rosecrans had 58,000. The maneuvers had resulted in putting the Federal army between Bragg and Chattanooga. The two days' fighting at Chickamauga were the bloodiest of the war. A mistake on the battlefield weakened the Union center, and Longstreet rushed into the breach. The Union lines were broken, and the routed army fled in confusion into Chattanooga. General George



H. Thomas covered the retreat and drove back charge after charge which threatened his position at Rossville Gap. Unable to follow his enemy through the Gap, Bragg took up a position on Missionary Ridge, where he could watch the defeated army in the valley below. The Confederates also held Lookout Mountain, preventing supplies coming in from the railroad and river.

In Chattanooga the Federal army was in a state of siege. Supplies could come in only across the muddy mountain roads to the west. Perched vulture-like on the surrounding hills, the Confederates had only to wait for starvation to bring them victory. Such a policy disgusted Forrest, who demanded that Bragg should follow up his victory. Other generals opposed Bragg's policy and petitioned Davis to remove their commander. Davis journeyed from Richmond, looked down into the camp of the starving enemy, reshuffled the corps commanders, and left the unpopular Bragg in charge of the army. The intrepid Forrest, the untutored tactical genius of the Confederacy, was promoted to a Major-General and authorized to raise a cavalry division in Mississippi. Longstreet was permitted to march away to Knoxville to besiege Burnside.

Meantime, in the Union ranks, Rosecrans was replaced by Thomas, and Grant, fresh from his victories in the West, was sent to take command. Arriving late in October, Grant found an army literally starving while the staff contemplated a fully developed plan for their relief. Ordering the plan put into operation, Grant sent a corps across the river to hold Brown's Ferry. This opened the river from the Union base at Bridgeport. The danger of starvation overcome, Grant brought Sherman's army up to a position opposite the end of Missionary Ridge.

He planned to have Sherman cross the river and drive the Confederates down the Ridge while Hooker struck at the opposite end of the Ridge near Rossville Gap. On November 24, the movement began. The Confederates abandoned their outpost on Lookout Mountain to concentrate on the Ridge. Throughout the day, there was desultory fighting. Sherman crossed the river, but was delayed in affecting a lodgment on the mountain, while Hooker's corps were slow in coming into action. In the middle of the afternoon, the order for a diversion in the center of the line, facing the slopes of Missionary Ridge, resulted in the Union soldiers charging up the steep sides of the mountain and sweeping the Confederates before them. The poor location of guns on the top of the Ridge deprived the Confederates of the use of their artillery. The break in the center gave Sherman and Hooker the opportunity to press forward, and Bragg's army retreated to Dalton, Georgia. The spectacular battle had saved the Union army and deprived the Confederates of their last chance for an overwhelming victory.

#### 4. DOMESTIC DIFFICULTIES

While its armies were meeting defeat in the field, the Government of the Confederate States was experiencing comparable difficulties. The constitutional question of States' rights and the personality of Jefferson Davis combined to harass the government in its conduct of the war. In September, 1862, the issue of States' rights was raised by the action of the South Carolina convention, which instructed the State legislature to protect the citizens of the State from Confederate conscription. This convention was unique in the South. After passing the Ordinance

of Secession, the convention, which alleged that it was the embodiment of the "sovereign" people of South Carolina, stayed in session to direct the course of the war. Eventually the people repudiated their self-constituted "sovereigns," but through most of the war the extra-constitutional convention arrogated to itself the right to give orders to the legislature.

Rhett, continuing his opposition to Jefferson Davis, realized the necessity for conscription and denounced the attitude of his State. As South Carolina hesitated, however, Governor Brown protested to Davis in behalf of Georgia. The conscription act seemed to Brown to be contrary to the sovereignty of the States and in violation of the rights reserved to the States by the Constitution. Linton Stephens headed the faction in the Georgia Legislature which held that conscription was both unnecessary and destructive of martial enthusiasm.

At the same time that the States were raising the specter of States' rights, the country was suffering from a shortage of supplies. The blockade was becoming efficient, there was a shortage of equipment in the army, and consequently prices rose, to the benefit of speculators. Denunciations of the "Richmond Jews" became increasingly common, and in the winter of 1862-63 there were bread riots in the capital. The States attempted to fix prices, and the Florida delegation in Congress sponsored legislation for national price-fixing. In North Carolina, Governor Vance proposed calling a State convention, and Davis urged other governors to get legislation against speculative profits.

The spring of 1863 saw efforts of the Richmond government to solve the difficulties which were before it. Three measures designed to strengthen the government and

supply the armies were introduced and passed through Congress. The first was the Impressment Act, passed in March, under which the President and the governors were authorized to appoint commissioners who would fix the prices which the government would pay for commodities. The law immediately caused a drop in prices, although eventually it resulted in more troubles for the government.

The next month, Congress passed the Tax in Kind Act, which would enable the government to avoid being paid in its own depreciated paper money. The paper money of the government was as worthless to the government as it was to the people. To escape having this currency coming back into the Treasury in payment of taxes, the act provided that farmers should pay one-tenth of their produce into local governmental warehouses. The law also provided for licensing a number of non-agricultural occupations and the imposition of a property tax and an income tax.

Opposition to both of these vital measures was suppressed by a realization of their necessity. But a third measure, proposed by the government, brought down upon Davis's head the concentrated wrath of the States' rights doctrinaires. In March a Mississippi congressman, a friend of Davis, introduced a measure to give the President the power to suspend the writ of *habeas corpus* in any part of the Confederacy. Two previous acts, limited in time and area, had resulted in driving a lawless element of camp followers from Richmond and other cities. Nevertheless, the Charleston *Mercury* had raised the cry of despotism and had assailed the administration for the contemplated attack on Southern liberties. In Congress the opposition was led by the same H. S. Foote who had

been Davis's nemesis in Mississippi a dozen years before. Now a Senator from Tennessee, Foote loudly bemoaned the assault on liberty and succeeded in defeating the measure. The opposition to Davis, thus brought into the light, was never again concealed, and the President's days were thereafter harassed by a group of foes who were constantly suspicious of every executive action. The harmony which had marked the first enthusiastic days of the Confederacy was never again recaptured.

The opposition to Davis took the form of charges that the President was failing to take advantage of an opportunity to sue for peace. At the head of this movement was Vice-President Stephens, who was sure that Lincoln would be willing to make peace. At the moment there was a serious quarrel between the opposing armies over the exchange of prisoners. The cartel adopted in the previous summer had proved so disadvantageous to the Northern Government that Secretary of War Stanton had taken advantage of disputes between the exchange officers to order a cessation of exchanges. At this juncture Stephens offered his services to proceed to Washington, ostensibly to settle this dispute but in reality hoping to secure peace with independence. On July 4, 1863, Stephens appeared in a flag-of-truce boat off Hampton Roads with a request that he be permitted to go to Washington. Delayed for a day, he was told that there was no need for such a visit. With the victories of Gettysburg and Vicksburg on the preceding day, it was small wonder that Lincoln was not interested in hearing propositions for Confederate independence.

As the congressional elections of the autumn approached, the attacks upon Davis became more vocal. Charges were freely made that the Gettysburg campaign

had been a mistake and that troops should have been sent to relieve Vicksburg. The operation of the impressment law quickly produced a reaction. Farmers complained that the government prices were unjust, while manufacturers, deprived of excess profits, were equally indignant. In Georgia, Toombs warned that liberty was being lost. The tax in kind was also denounced as unjust, and the farmer who paid his tenth protested vigorously against bearing a disproportionate part of the burden. To the farmer it appeared that the rich man, whose slaves were not taxed, was escaping his just portion. Yet the income tax and the licensing provisions of the law served to set the wealthy classes and the professional men against the administration.

Most serious was the opposition in North Carolina, where the small farmer of the western region had never been in sympathy with the ruling aristocracy. Mass meetings of farmers denounced the tax in kind, demanded peace, and pledged themselves to resist the government. W. W. Holden, editor of the *Raleigh Progress*, headed this movement and ran for Governor against Z. B. Vance. Mobs terrorized the State, while deserters from the army joined in plundering the country.

The elections resulted in a repudiation of the Davis government by the Southern people, who returned an opposition majority to Congress. Eight of North Carolina's ten Congressmen were anti-Davis, and Vance was elected by the narrowest of margins. Nine of Georgia's ten were in opposition, while a majority of those from South Carolina were against the administration. Rhett had stood for election but was defeated for local reasons. Henceforth Davis had a hostile Congress to hamper his efforts.

After the elections, Davis made a trip into the South, primarily to settle the disputes in Bragg's army but also to ascertain the political situation. He visited Mobile and returned through Charleston, where his reception deceived him into believing that the opposition had been exaggerated. But at that date it was too late to remedy the widespread lack of confidence in the government.

## 5. FAILURE ABROAD

The year 1863 was as active and as disastrous in foreign affairs as in domestic. The year opened with Napoleon's minister's carrying a peace proposal to Lincoln, while in Paris Slidell was urging his daughter's father-in-law, Émile Erlanger, to launch a Confederate bond issue on the market. Erlanger was one of the largest bankers of France and close to the none-too-scrupulous group which surrounded the Emperor. He conceived a scheme to grow rich on cotton speculations, and proposed, doubtless with Napoleon III's approval, that the Confederacy should issue through him bonds secured by cotton. The bonds, bearing seven per cent interest, were to be issued to Erlanger at 77 and offered at 90, and the holder might redeem his bond in New Orleans middling cotton at six cents a pound. Since cotton was selling for over 40 cents in England, the purchaser might make a good profit if he could get his cotton out of the Confederacy. With some misgivings the Confederate authorities issued the bonds, and Erlanger offered 15,000,000 in London, Frankfort, Amsterdam, and Paris. For a time they sold higher than the bonds of the United States.

The purchasers of the bonds paid a first installment of 15 per cent. Before May 1, when the second installment

was due, a change of opinion reduced the value of the bonds, and many were turned back on the market, depressing the price. In order to keep up the price, Erlanger, Mason, and Slidell spent over \$6,000,000 in purchases. There was no appreciable effect on the market, but the Confederacy lost much needed money and credit. The test gave the final proof that King Cotton was a monarch of no power.

The real test of King Cotton's claims to supremacy came in England. Early in the war, Lincoln despatched leading men of the North to Europe to present the American cause to the European peoples. Bishop C. P. McIlvaine of the Episcopal diocese of Ohio, Thurlow Weed of New York, and the Catholic Archbishop of New York, John Hughes, were sent to influence whatever sections of the European populace they could. In their activities they received much help from such minor officials as John Bigelow, consul-general at London, and Henry Adams, son of the American ambassador. Later Robert J. Walker of Mississippi, Polk's Secretary of the Treasury, was sent to England. Aside from personal influence, these men wrote and inspired others to write to the newspapers in behalf of the American cause. Walker was especially effective in persuading the British public that Jefferson Davis had been responsible for the repudiation of Mississippi bonds in the decade before the war. The Confederate propagandists, headed by Mason, tried in vain to show that it was really Walker who had been responsible for Mississippi repudiation. The effect of such propaganda was seen in the fate of the Erlanger loan.

Particularly effective was the Northern appeal to the working classes of England. The winter of 1862-63



witnessed a cotton famine in England with a half-million operatives thrown out of work. Had cotton been king, the presence of these starving men might have forced English intervention. But the Northern propagandists again circumvented the operation of economic laws. The Emancipation Proclamation had changed the American war into a crusade in behalf of human freedom, and English abolitionists found strong grounds in favor of the North. John Bright and other English humanitarians appealed to the workingmen to starve in support of a holy cause, and the workers in hundreds of mass meetings responded by passing resolutions in favor of the North. The Northern Government intelligently gave tangible co-operation in this movement by sending shiploads of wheat for distribution among the British unemployed.

Although a cotton famine on a lesser scale in France had a similar result, the French Government, unlike the English, was eager to help the Confederacy. During an interview on Southern problems, Napoleon suddenly asked why the Confederacy had not built a navy. When Slidell explained that the French neutrality laws prevented building such ships in France, the Emperor blandly remarked that they could be built for some other purpose. A few days later, on January 7, M. Arman, a shipbuilder of Bordeaux and close friend of the Emperor, called on Slidell to offer to build iron-clad ships for the Confederacy. The builder would accept cotton bonds and would obtain official sanction for the ships on the pretext that they were being constructed for use in the Pacific. Contracts were quickly signed.

Meanwhile in England the Laird shipyards were building two iron-clad rams for the Confederacy, and hopes were running high in the little Southern group. In Par-

liament the most energetic supporter of the Confederacy was J. A. Roebuck, who watched for a chance to bring about recognition. As Lee advanced into Pennsylvania, Roebuck visited Napoleon and received assurances of support. Returning to London, Roebuck offered a resolution in the House of Commons instructing the government to co-operate with other powers in recognizing the Confederacy. Debate was held until July 13, but the news of Gettysburg turned the majority of the House against action. Moreover, Napoleon grew lukewarm as he heard of Gettysburg and Vicksburg. Roebuck withdrew his motion before it came to a vote, and a few weeks later Mason was ordered by Benjamin to withdraw from England.

The key to Napoleon's policy in these dealings lay in his attempts to put the Austrian Archduke, Maximilian, on the throne of Mexico. Since such a violation of the Monroe Doctrine would be certain to incur the opposition of the United States, Napoleon needed an American ally. Unwilling to recognize the Confederacy without England's co-operation, the Emperor was obliged to follow English policy. The succession of Confederate military failures could serve only to prevent action by either England or France. In the summer of 1863, Minister Adams finally succeeded in getting the British officials to take action to prevent the completion of the Laird rams. Shortly thereafter the nascent Confederate navy in M. Arman's yards was stopped when a clerk stole incriminating documents. These were sold to the American Government, and an immediate protest followed. At the same time, Slidell rashly wrote to the Emperor mentioning their former conversation and assuming that Napoleon was engaged in a plot to violate his own neutrality laws!

In the circumstances there was nothing for the Emperor to do but forbid the completion of the ships. Henceforth Napoleon gave no encouragement to the South.

A reflection of this changed attitude came in Mexico. In December, 1863, Davis had recommended sending a minister to the Imperial Mexican Government. Congress approved, and Davis appointed General William Preston to the mission. Preston went to Mexico, where he was refused recognition. The one revolutionary government refused to prejudice its chances by recognizing the other.

After Napoleon's change of heart, the Confederacy's last chance for foreign aid was gone. In diplomacy, in politics, and on the battlefield the year 1863 was one of irreparable disaster.

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## CHAPTER XX

### LIFE IN THE CONFEDERACY

#### 1. SLAVERY IN THE CONFEDERACY

THE war between the States had the inevitable effect of throwing economic and social life out of its peacetime balance. The conflict gave momentum to some social forces while it diverted others from their normal course. The gory hand of Mars reached into homes to snatch the South's youth from their parents and friends and disturbed both the economic and the psychological balance of the people. The emotional groundwork for the war had been laid, on both sides, by the slavery controversy. The war's catastrophes brought distress and suffering, a loss of property, and the destruction of the old South's economic system and its cultural heritage. After the war, the South was never to be the same.

The disruptive forces of war struck first and hardest at the Confederacy's most important economic institution. The problem of the slaves was one which involved not only labor supply and the largest single investment of Southern wealth, but had military and social aspects as well. From the beginning of the war, the Confederacy faced the task of diverting some portion of its agricultural labor into channels of military usefulness. Slaves might be used for servants, for work on fortifications, and even for garrison duty if they could be released from the plantations.

The first Congress of the Confederacy passed an act for

the suppression of the African slave trade. The bill provided that the government should sell at auction the cargo of a captured ship. President Davis immediately perceived that this provision would permit the introduction of new slaves into the South and vetoed the act. His veto gave rise to much criticism, especially by those who pointed out that an increase in the slave population would help release slaves for military purposes. The act would have been no help, but it was symbolic of the nation's problem.

The need for labor in military works and by the government led Davis to propose that he be given power to impress slaves. Slaveholders objected to their government's purchasing slaves both because the government would thereby become a competitor and because of a fear of eventual emancipation. The opposition to Davis saw a real menace in a body of slaves under the exclusive control of the President. In 1862, however, Congress permitted the executive to impress slaves provided that the masters were given compensation for the labor of their slaves while being used. States also conscripted labor and permitted localities to do so, but in every case the rights of the owner were protected. Such use was rigidly restricted to military preparation, and the States prescribed the number of slaves whom Davis could conscript and the length of time they should serve.

In addition to the government's needs, there was the problem of directing the slaves in their accustomed lines of productivity. The demand of the government for the full man power of the South disrupted the plantation system. With the whites in the army, the slaves would be left without other direction than the women could give them. The social problems of slavery were always as

important as the economic ones, and there was real need for police control of the blacks. In the days before the war, the "pater-rollers" had watched the roads to curb migratory tendencies; but with the whites patrolling the Potomac, the Negroes might go free. Accordingly, in the first conscription act, overseers on plantations having 20 slaves were exempted from the draft. Later laws modified this to one overseer for each 15 slaves. This "fifteen nigger law" angered the poor man of the South who had left his women and younger children unprotected and seemed to confirm the suspicion that the rich were allowing the poor to fight their battles. Since planters discharged overseers in order to take advantage of the law for themselves, the poorer men justified their own desertion and joined the opposition against Davis.

Although there were innumerable cases where the Negroes remained loyally at their tasks long after all coercion was removed, a large number of slaves took advantage of their first opportunity to escape from their bondage. House servants, old family retainers, and the slaves of the smaller planters remained at their posts to defend their masters' property and family long after the field hands had wandered away. Federal commanders in the South were constantly harassed by the Negroes who flocked to their camps. In order to care for these fugitives, the Federal Government set up the Freedmen's Bureau with the object of settling the Negroes on the abandoned and confiscated lands of the Confederates.

## 2. WARTIME INDUSTRY

In industry as in labor, the dire need of the Confederate Government caused a disruption of the normal processes

of development. In the decade before the war, Southern industry had been growing, and the momentary stimulus which the war gave to manufacturing had no effect in the later story of the South. Peacetime development would have taken place in textiles and lumbering, and the war-time diversion of capital from these natural channels was a distinct loss to the region.

The beginnings of industry, however, had been too recent to contribute much to the Confederacy. The government made strenuous efforts to stimulate production. With tremendous natural resources, the South found itself destitute of both technical ability and the tools of industry. It had thousands of bales of cotton but few cotton mills, no machinery, and no laborers who could be readily educated in the production of cloth. Wool was scarce, and woolen mills even scarcer. East Tennessee, north Alabama, and southwestern Virginia were regions rich in iron, yet there were no foundries and no equipment for establishing iron works. A nation designed to produce raw materials found itself utterly unable to produce manufactured goods for its military needs.

The situation had two results. First, both government and people bent every effort to produce the necessities. The government established medical laboratories to comb the South for herbs of medicinal values; salt works were established at Wytheville, Virginia, in east Tennessee, and in the Kentucky mountains, and salt was boiled along the coast; Richmond's Tredegar Iron Works and the foundries of Selma, Alabama, were worked to the limit. Iron was mined in Alabama and gunpowder was produced by the Niter and Mining Bureau. Every encouragement was given to manufacturing, and the government encouraged the blockade runners who brought supplies from



the outside world. Trade with the enemy was tolerated.

But all of these efforts were unavailing to provide the materials for war. In desperate need of everything, the South turned to consuming its accumulated wealth. Lead from window weights were taken to make bullets, cannons were cast from melted church bells, women's silk dresses made patchwork observation balloons, and less needed railroads lost their rails to lines which served an immediate need.

For private use as well as for public needs, the Southerner was forced into destructive makeshifts. Old clothes were patched, turned, and refurnished to appear again as "Sunday best." Coffee disappeared from tables to give place to chicory or parched corn, vegetable fat replaced tallow in candles, molasses was used for sweetening, and carpets were transformed into blankets. The spinning wheel and the hand loom worked heavily to supply needed replacement of clothes. Newspapers first limited themselves to single sheets, then appeared on wrapping paper and even on wall paper.

As supplies were exhausted, there was nothing to take their place. The blockade, increasingly effective as the war progressed, cut the Confederacy off from the world. The fall of New Orleans closed that port and the Mississippi River to imports. A fleet lay off Charleston all the time, and stone-filled vessels were sunk in the entrance to the harbor. The blockading squadron prevented access to the rivers of Virginia and to Pamlico and Albemarle Sounds in North Carolina. In Florida the blockade was less effective, but the means of transportation into the upper South were so poor that the open coast was of little value. In fact, by 1863 access to the Confederacy was possible only through Wilmington, North Carolina, Mo-

bile, and the Rio Grande River. The effectiveness of the blockade was such that normal steamers could not run in with cargoes. Specially built light-draught ships capable of high speeds alone dared take the risk. Goods from Europe were deposited at Nassau or Havana to await the trips of these daring vessels. Immediate necessities and high-value luxury goods were carried in by these ships—which were usually owned by Englishmen—and cotton taken out. Large shipments were made to Matamoras, in Mexico, until the fall of Vicksburg severed the eastern from the western part of the Confederacy.

Such blockade running was unable to supply the government and was of no importance to the people. The government licensed blockade runners and required that part of the cargo of each ship should be of goods needed by the government and that government cotton be carried out. The North Carolina government made the same requirement of the ships which came to Wilmington. So great were the risks and so high the price of cotton that a vessel which could make a couple of trips before capture would show a good profit. But the very size of the profits indicated the effectiveness of the blockade. One government-owned vessel, the *Robert E. Lee*, made 30 trips between Wilmington and Nassau. North Carolina's account with the blockade runners brought \$200,000 worth of drugs and surgical supplies in 1863. The Confederate Government realized over £200,000 on cotton sales in England.

The poor results of all these efforts to supply its needs indicates that the Confederacy starved to death. Both because of the scarcity of supplies and because of paper money, prices were high. Quoted in the fiat money of the Confederate Treasury, the prices of commodities in

common use ran to fabulous heights. Flour, which sold for \$25 a barrel in the spring of 1863, sold for \$1,000 in January, 1865. Potatoes ran as high as \$100 a bushel, and sugar as high as \$10 a pound. Reduced to a specie basis, these fantastic prices were but a little higher than the same commodities on the New York market; but there was neither gold nor silver in the Confederacy, while there was over a billion dollars in Treasury notes. The situation bore heavily upon the salaried classes of the cities, who were often faced with the specter of starvation. In the rural regions, especially where the armies of both sides did not raid, there was food in greater abundance than there were hands for its harvest. It was not so much the lack of food as the failure of the entire distribution system that brought the Confederacy to collapse.

The most irritating result of the failure of the system of distribution was the widespread appearance of profiteering. Speculators in foodstuffs forced prices up. In March, 1863, Georgia's Bishop Pierce declared that "restlessness and discontent" prevailed. "Extortion, pitiless extortion is making havoc in the land. . . . Avarice with full barns puts the bounties of Providence under bolts and bars, waiting with eager longings for higher prices." The "Jews of Richmond" were anathema to Confederates. Southern speculators, unlike their Northern counterparts, did not emerge from the war with fortunes swollen by having fed on catastrophe. Their wealth was in Confederate paper and disappeared in the destruction to which they had so largely contributed.

In the midst of economic disorder the women of the South suffered the most. At the beginning of the war, women banded themselves together in their communities to sew uniforms and make flags for the local companies.

Soon they were cutting bandages and picking lint to dress wounds. The Confederate and the State governments attempted to organize the women for auxiliary war service and to bolster the morale of the men. Diaries and reminiscences of women who remained at home struggling to keep slaves at work and plantations in production abound in accounts of bitter hardship endured. To the daughter of the aristocracy, deprived of her accustomed luxuries, the war was indeed severe. To the wife of the poor farmer, working in the fields and an object of neighborhood charity, or fleeing at night from the ravages of war, the cause for which she suffered frequently did not seem to be worth the candle. While the more literate mistress of the plantation recorded her sufferings in a diary, the poorer woman sent pleas to her menfolk which caused them to desert from the army.

### 3. CONFEDERATE PRISONS

The complete inadequacy of the Confederacy's material resources and the failure of its transportation system was fully illustrated in the prisons, where hapless Union soldiers became the wards of an impoverished government. The first battle of Manassas brought some 50 officers and 1,000 men into Richmond as prisoners of war. No preparations had been made to care for the captives, who were bundled into abandoned tobacco warehouses in the city. Confederate military law required that prisoners should be issued the same rations and the same clothing as troops in the field. The prisoners, however, soon began to feel the effects of Confederate poverty. As the blockade became effective, sugar and coffee were taken from their rations and there was a steady deterioration in quality

and decrease in quantity of the other rations. Clothing, lacking for the army, was never supplied to prisoners. Instead, clothes were taken from the prisoners at the time of their capture, and sometimes entire companies of Confederates were proudly garbed in Union blue while their victims shivered in discarded Confederate rags in ill-heated prisons. Once Southern soldiers protested to Secretary Stanton against the "shoddy" uniforms sold to the Federal army by Northern profiteers.

The suffering, mostly imaginary, of these prisoners in the Richmond warehouses led to demands on the Northern Government to begin a system of exchanges. Lincoln had adopted the theory that arrangements for exchanging prisoners would be an implied recognition of Confederate belligerency, but the increase of prisoners and of pressure forced a change of attitude. On July 22, 1862, a cartel for exchange was made between the two armies.

The cartel provided that prisoners captured should be released on parole and sent inside their own lines, where they were to perform no military duties until released by exchange. The system would avoid the expense of maintaining prison camps, and for a year prisoners were released on parole at the time of their capture. Difficulties, however, developed almost from the beginning. As the news of the cartel spread in the army, soldiers lost their dread of imprisonment and saw in the promise of a parole an opportunity to obtain a "little rest from soldiering." Surrenders in the field became common, and Secretary Stanton found his armies seriously handicapped. Moreover, the paroled soldiers, sent to army camps, refused to perform even garrison duty and insisted that the terms of their parole entitled them to be furloughed home until exchanged. Mutiny broke out at several Northern

camp, and the Federal officials concluded that imprisonment was preferable to a parole system. Minor administrative irregularities were magnified into major infractions of the cartel, and despite the best efforts of the Confederates, the Northern War Department refused to exchange prisoners.

This abandonment of the cartel threw the prisoners back upon the Confederacy. Two prisons were established at Richmond: Libby Prison, an abandoned tobacco warehouse, was set aside for Federal officers, while enlisted men were confined in Belle Isle, on the James River. The immediate effect of this concentration of prisoners in Richmond was to increase prices and cause a food shortage. Rations to the prisoners were cut, and the Confederate Government was forced to permit the Northern Government to send supplies of food and clothing to the prisoners. Early in 1864, the shortage of supplies and the military danger of having so many prisoners, poorly guarded, in the capital led to the establishment of two new prisons at Macon and Andersonville, Georgia, where officers and men might be more safely confined.

The hardships which the prisoners underwent were magnified for propaganda purposes in the North. Newspapers carried atrocity stories to "fire the Northern heart" with hatred for the South and pictured prisoners as being deprived of food, clothing, and heat by the vindictive spirit of the rebels. The government gave all possible aid to the dissemination of such accounts and even published reports showing that the Confederates brutally starved prisoners and denied medical attention to the sick and wounded. A report of the Joint Committee on the Conduct of the War declared that the mistreatment of prisoners was the result of "a predetermined plan,

originating somewhere in the rebel counsels, for destroying and disabling the soldiers of their enemy, who had honorably surrendered in the field." As a result of such propaganda, the Northern press demanded that Confederate soldiers in Northern prisons should be subjected to retaliatory treatment. The prison officials readily complied by reducing the rations in Northern camps.

The establishment of Andersonville brought increased hardships to the Confederacy's prisoners. The prison consisted of a stockade of 16½ acres—later enlarged to 26—through which ran a stream of water. Pressure on Richmond led to prisoners being sent to the prison before barracks could be built. The prisoners were obliged to build huts or dig caves for their own shelter. Because they were unable to get supplies for cooking, the prison officials issued uncooked rations to their charges. Meat could not be obtained; and as the number of prisoners increased, meat rations disappeared and eventually only unbolted corn meal and sorghum were issued. During the summer of 1865 the number of prisoners—confined without shelter in 26 acres—increased to over 30,000. The stream through the camp could not carry off the refuse, and its banks soon became a fetid and disease-breeding swamp. Scurvy and diarrhea carried off thousands of the weakened men, and the hospital was inadequate to care for the sick.

No better evidence of the failure of the distributing system of the Confederacy can be found than the fact that these conditions existed in the midst of plenty. The shelterless prisoners were confined in the midst of a pine forest, and cabbage, which could not be carried out, was rotting in fields within sight of the stockade. The human failure was almost as great as the failure of the distribut-

ing system. Home guards did guard duty and occasionally shot a prisoner who ventured too close to the prison walls, but they were too few to regulate the conduct of their charges. Among the prisoners a gang of bounty-jumpers robbed and murdered their fellows until a vigilance committee of the prisoners captured the "Raiders" and hanged six of them after trial by court martial. The officers of the prisons were inevitably drawn from those least efficient in field duty, but they struggled valiantly to obtain supplies. Their requisitions for food and clothing, and even for such things as nails and shovels, were ignored for the greater needs of the army in the field. Most efficient of the officers was Captain Henry Wirz, whom the prisoners, imbued with the belief that they were being deliberately starved, blamed for their misfortunes. At the close of the war, Wirz was given a farcical trial before a military commission and hanged for "conspiring" with Jefferson Davis to murder the prisoners in his charge. He was the victim of war psychosis: almost 13,000 graves at Andersonville mark the victims of Confederate economic collapse.

As Sherman marched through Georgia, the prisoners at Andersonville and Macon were moved to other prisons. Meanwhile, in Virginia the versatile General Butler had turned his attention to the prisoners and, ignoring the cartel, had begun to exchange sick prisoners. When these were exhausted, the military officials continued to send prisoners in exchange. By the end of the war, most of the prisoners had been released.

#### 4. SOUTHERN MORALS

Equally as important as the economic dislocations of the war were the psychological disturbances caused by



the conflict. Although the war was caused by a clash of economic systems, the masses of people on either side would have been unwilling to suffer for the economic or political aggrandizement of either the masters of capital or the lords of the manor. In the decades before the war, the economic motives of New England capitalists and Southern planters had been hidden behind a camouflage of moral arguments. The Southern people had been taught through the years a hatred of the shrewd, scheming Yankee whose shady business dealings were surpassed in dishonesty by his hypocritical Puritanism. In contrast, the Southern ideal had been that of the cavalier, a *beau ideal* of chivalry. While Northerners had been identifying themselves and their economic system with democracy, the Southerners had taken the aristocratic ideal as their own. In the North, the war became a crusade in behalf of democracy and freedom—ideals expressed by Lincoln's masterly epigram at the dedication of the cemetery at Gettysburg.

While the North was rationalizing the war in terms of the perpetuation of popular government, the South was justifying its actions in terms of constitutional rights, the protection of its chivalric civilization, and the preservation of its homes. General Butler became the type figure of Yankee brutality, and a Southern crop of atrocity stories rivalled those concocted north of the Potomac. Northern soldiers marched to war singing, "As he died to make men holy, let us die to make men free," while the gray armies sang, "The despot's heel is on thy shore, Maryland, my Maryland." The Southerners were fighting for constitutional liberty against tyrannical invasion.

Aiding the morale of the Confederate armies and peoples was a religious revival which gave the war the

note of a crusade. The leaders of the army were distinguished for piety. Robert E. Lee was the embodiment of the Christian ideal, and Stonewall Jackson prayed at all seasons and hesitated to march on Sundays. Generals gave full freedom to the ministers who frequented their camps, and prayer meetings were a normal preparation for battle. In the midst of the war, Jefferson Davis joined the Episcopal Church—thereby completing his evolution from an impoverished planter of Democratic and Baptist background into the ranks of the aristocracy. During the Atlanta campaign, General John B. Hood, who had lost a leg at Chickamauga, was baptized by the Bishop of Louisiana—General Leonidas Polk. Southerners were convinced that their cause had divine blessing.

Neither religion nor propaganda, however, could suffice to keep the South united in the face of military defeat and economic collapse. In the battle regions, families were forced to abandon their homes to become refugees; while in the mountain districts, there were many who had always been opposed to the Southern cause. Defeat and hardships contributed to the development of a discontent which found expression in secret societies opposed to the war. Three such societies, in separate regions, were organized with a paraphernalia of oaths, passwords, and grips and devoted their efforts to encouraging desertion from the armies, to aiding refugees to escape from the South, and to agitation for peace. The "Peace and Constitutional Society" flourished in Arkansas, the "Peace Society" centered in Alabama but spread over the middle South, and the "Heroes of America" covered the Appalachian highlands. In other places, organized bands combined a desire for peace with a will to plunder and to harass loyal citizens. The societies surreptitiously

participated in politics, electing "unknown" men to office. They gave information to the Federal armies and helped escaping prisoners, refugees, and even Negroes to reach the Union lines. Desertion spread in the armies, and the deserters, hiding in the hills, terrorized the countryside and defied arrest. Peace and Union sentiments replaced the initial enthusiasm for secession. In morale, as in economics and on the battlefield, the Confederate experiment eventually ended in failure.

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## CHAPTER XXI

### THE LAST DAYS OF THE CONFEDERACY

#### 1. GRANT VERSUS LEE

**M**ARCH 9, 1864, U. S. Grant was commissioned Lieutenant-General and placed in command of all the Federal armies. The years of fumbling in Washington, trying out one commander after another, were over. Henceforth the Union forces had one commander and one plan of action. With the enormous resources in men and material of the North, and with the full confidence of the administration at his back, Grant faced the armies of a nation on the verge of collapse. That the war lasted another year was due to the determination of Jefferson Davis and the spirit of Robert E. Lee.

Grant's plan of campaign was not greatly different from that of his predecessors from McClellan to Meade. He would advance all of his armies simultaneously against the Confederates and concentrate upon the main objectives rather than scatter the armies over the various fields of war. In Virginia, Grant had the army on the James, commanded by Butler and in position to advance up the peninsula against Richmond. There was also the army of the Potomac, Meade commanding, facing Lee's army of Northern Virginia across the Rapidan. At Chattanooga, Sherman commanded the western armies, facing Johnston, who had succeeded Bragg after Chattanooga.

Johnston was in winter quarters at Dalton, Georgia. All of these armies, according to Grant's plan, should move forward at the same time.

On May 4 the army of the Potomac, accompanied by Grant, crossed the Rapidan and marched into the region known as the "Wilderness," where Lee was ready to give battle. His artillery worthless in the situation, his army broken by the wild terrain, Grant fought for two days without dislodging Lee. On May 7, Grant moved out of the Wilderness; but unlike all of his predecessors who had faced Lee, he did not withdraw across the river. Instead he moved to the right of Lee's position in an effort to outflank the Confederates. But Lee had the advantage of moving on an inside line, and on May 8 Grant found his opponent defending the road at Spottsylvania Court House. Again Grant attacked, but a week of throwing his superior forces against the undaunted Confederates brought no victory. Again Grant flanked, and arrived at the North Anna, only to find Lee still across his path. This time the Federals flanked without attacking, and a series of such movements carried the armies to Cold Harbor. The Confederate position was within six miles of Richmond, and on June 2 Grant again gave battle. In the bloodiest half-hour of the war, Grant lost 7,000 men and was forced to give up the assault. The losses since crossing the Rapidan had been 55,000, while Lee's army of 60,000 had lost 19,000. But the Union forces could refill their ranks, while Lee's loss was permanent.

Grant's campaign overland from Washington to Cold Harbor was sufficient to prove to Lincoln and the North that such a route to Richmond was impractical. With the lesson learned, Grant informed the government that he was going south of the Confederate capital to approach

by the route which McClellan had been forced to abandon. At the same time that Grant had crossed the Rapidan, Butler had moved up the James River toward Richmond. However, Butler's army of the James had been "bottled up" at Bermuda Hundred. While an attack was launched against Petersburg, commanding the approach to Richmond, Grant moved his army across the river to take up position at City Point. The advance on Petersburg was delayed, and Lee hastened up to save the city. Grant thereupon settled down to siege operations, which, though slower, were sure eventually to exhaust the South. Throughout the following months the slow approach to Richmond went on.

Fully realizing the danger to the Confederate capital, Lee again attempted a diversion in the Valley. To repeat Jackson's feat of 1862, Jubal A. Early went with 17,000 men to clear the Valley and threaten Washington. Quickly winning a victory in the Valley, Early turned toward Washington, where once again panic reigned. But Early, arriving at the gates of the city, delayed for a night, and on the morrow troops from Grant's army drove him back into the Valley. There Early won victories at Kernstown and Winchester and began a raid which carried him to Chambersburg, Pennsylvania. He burned the town because it would not pay tribute and returned to the Valley.

Despite the fact that these movements were dramatic, they lacked the power to disrupt Grant's determined purpose. Although frightened, Lincoln did not insist to Grant, as he had to McClellan, that troops be sent to defend Washington. In September Grant sent Sheridan to drive Early from the Valley. At Winchester and Fishers Hill Sheridan won decisive victories and then



turned to destroying crops, burning barns, and spreading such devastation in Richmond's granary that "a crow flying over the country would need to carry his rations." Early returned to the attack, but Sheridan, riding from Martinsburg, came to Winchester in time to snatch victory from the Confederates. Thereafter Washington was safe from attack.

## 2. THE ATLANTA CAMPAIGN AND AFTER

While Grant moved against Lee in Virginia, Sherman was advancing against Johnston in Georgia. On May 4, 1864, the Federal general moved against Dalton, where he found the Confederates strongly placed. Instead of attacking, the Federal armies struck at Resaca, behind Dalton, where they threatened Johnston's connection with Atlanta. To protect his line, Johnston fell back, and Sherman again flanked. Each time that Johnston offered battle, Sherman pushed out his lines farther than the Confederates could reach, and each time Johnston fell back, yielding more territory. After a month of such operations, Sherman attacked at Kenesaw Mountain, but Johnston drove him back with considerable loss. Thereafter the flanking operations were resumed until July 9, when the invaders were within six miles of Atlanta.

Johnston's course was highly unpopular with the Confederate Government and the people. Davis had quarrelled with Johnston from the first days of the Confederate army, and Bragg, whom Johnston had displaced in command of the army, was now Davis's principal military advisor. On July 17, Johnston was replaced by Hood, whose reputation as a fighter promised he would give battle to defend Atlanta. Hood fought three battles

in less than two weeks and lost all of them; but Atlanta, with its railroad lines and industries, was still in Confederate hands. For a month Sherman besieged the city, and on September 3 it fell before him.

In Atlanta, Sherman was far from secure. His lines of communication ran back to Chattanooga and from there to Nashville. Along that line Sherman's scattered forces were threatened by Hood's army and the daring cavalry of the brilliant Forrest. Commanding at Nashville was George H. Thomas, upon whom Sherman depended to maintain his communications. Late in November, Hood approached and attacked Schofield at Franklin in Tennessee. In one of the most skillfully fought battles of the war, Schofield held off the Confederates and inflicted a loss of 6,000 men. Retiring on Nashville, Schofield joined Thomas in making preparations for Hood's advance. As Hood gathered his forces, consternation seized the Northern Government. If Thomas should be defeated, the road into the North would be open and Sherman's army lost. Lincoln, Halleck, Stanton, and Grant urged Thomas to advance, but Thomas's actions seemed unnecessarily slow. Finally, however, on December 15, Thomas had completed every preparation and advanced on Hood. In a hard fought battle the Confederates were driven in disorder from the field. Hood's army was destroyed and scattered. Only Johnston in North Carolina was able to resist Sherman's onward march.

Before these battles were fought, Sherman had decided upon a daring enterprise. Realizing that much of his strength must be expended in guarding his long line of communication, he sought permission from Grant to strike out from Atlanta and live on the country until he

could reach the seacoast and establish connections with the navy. Reluctantly Grant gave permission, and on November 15 Sherman burned Atlanta and struck out across Georgia. He would, he said, pierce the hollow shell of the Confederacy.

Cutting a swath from 30 to 60 miles wide, Sherman began a march across the heart of Georgia to Savannah. For three weeks his government knew of his whereabouts only from the news in Southern papers, whose editors boasted that the daring move would result in the capture of Sherman and his army. The Federal troops, however, met no resistance. Hood was far away before Nashville, and the scattered cavalry and home guards could furnish no opposition to a victorious army. The soldiers plundered the countryside, raiding the storehouses of plantations and attracting a great concourse of Negroes, who followed the army secure in the knowledge that "de day ob jubilee" had come. On December 10, Sherman made contact with the naval vessels which had anxiously awaited his appearance and began a siege of Savannah. On December 20, General William J. Hardee withdrew from the city and Sherman sent the news of its fall to President Lincoln as a Christmas present. The Confederacy was again cut in two, and only Virginia and the Carolinas, surrounded by armies, were in touch with the Confederate Government.

### 3. CONSCRIPTION AND CONFLICT

While determined Federal armies slowly constricted the Confederacy, the Southern Government in frenzied desperation made efforts to treat the symptoms of its fatal disease. Fundamentally, the lack of man power was

the South's most serious problem, and the government attempted to apply the remedy of a more strict enforcement of conscription. Early in 1864 Congress passed a new conscription act, making all men from 17 to 50 liable to service. However, the list of exemptions was large and gave renewed validity to the charge that the rich were escaping military duty. Physicians, editors, and preachers were exempt, and likewise the overseers of plantations having 15 slaves. Moreover, civil employees of the States, whom the governors should certify to be "necessary for the proper administration of the state government," could not be drafted. The President might "detail" conscripts for essential non-military services.

This law was badly drawn. In addition to laying the government open to criticism by the nature of the exemptions, the method of exemption seriously interfered with the act's purposes. The President was criticized for his "details," and governors took advantage of the provision enabling them to exempt civil servants. Governors certified that justices of the peace, clerks, and courthouse employees were necessary for State administration. Judges in the courts freely issued writs of *habeas corpus* to keep men from service, and lower courts decided that the conscription acts were unconstitutional. The entire system of conscription broke down and desertion increased until many regiments were reduced to skeleton organizations with more absentees than there were men present in the ranks.

In order to combat the declining morale, and thereby to increase the man power, Davis again asked Congress for power to suspend the writ of *habeas corpus*. This time he reported on the activities of the peace societies. Fully aware of the danger, Congress gave the desired permission

and empowered the President to arrest persons engaged in treasonable activities and to try them by military commissions. The act expired by limitation in the fall of the year and was not renewed. Like the conscription act, it came too late to affect the situation.

With remedies proving ineffective to restore internal health, the Confederate Government looked beyond the lines where the Northern elections brought a flickering ray of hope. Lincoln had been renominated by the Republicans, but there was dissension in the party, and John C. Frémont had been nominated by "Radical Republicans." With a split in the ranks of the Republicans, the Democrats, influenced by western copperheads, adopted a platform declaring the war a failure and nominated the popular General G. B. McClellan. Peace was promised by the Democrats, and the Confederates looked forward to McClellan's victory. To aid the Democrats and to carry on a subversive propaganda in the ranks of the pro-Southern "Knights of the Golden Circle," Davis sent Jacob Thompson and C. C. Clay to Canada. These agents made efforts to help the Democrats and sent hopeful reports back to Richmond. But once again Confederate hopes were dashed; Lincoln made adjustments with the Radicals, Sheridan raided the Valley, and Sherman took Atlanta to give the lie to the Democratic platform. In November Lincoln was re-elected.

As hope failed, the malignant cancer of States' rights destroyed the remaining vitality of the Confederacy. With Sherman in Atlanta, Georgia's Governor Joseph E. Brown exercised his right to exempt men from conscription. In desperate need of men, Hood appealed to Davis for re-enforcements. Davis replied that he had made every effort to raise men, had called on militia and reserves

and had revoked details, but was unable to obtain more troops. Brown had exempted justices of the peace and constables in the counties until he had held 8,000 men out of the Confederate armies. Moreover, Brown gave furloughs for 30 days to the Georgia soldiers in Hood's armies "to return to their homes and look for a time after important interests." The move was inspired by a desire to prevent these soldiers from being taken out of the State. At the same time, the Governor threatened to recall the Georgia troops from the army in Virginia.

To prevent Brown's foolhardy actions, Davis left Richmond to attempt to restore harmony, visit Hood's army, and prepare future plans. In Augusta, Davis spoke of Beauregard as a man who would obey the President. Such remarks could do little to overcome the suspicion of despotism that Brown had raised. Yet Davis's appeal was not without effect. Howell Cobb joined him in addressing the people, and Brown was forced to recede from his position to the extent that he made an agreement with Beauregard on the use of the State's militia. The Georgia delegation in Richmond, although a majority of them were anti-Brown, joined in an appeal to the people to rise en masse against Sherman. "Burn all bridges and block up the roads in his route," urged the congressmen. "Assail the invader in front, flank, and rear, by night and day. Let him have no rest."

From Georgia Davis went into Alabama to encourage the people and to make further plans for the war. But Sherman's march brought an increase in disaffection; and when, early in 1865, he turned north to continue his destructive progress, it was South Carolina's turn to take up the cry of States' rights. In December, 1864, the South Carolina Legislature passed a conscription act calling into

the service of the State all males between 16 and 60. An accompanying "Exemption Act" defined classes who were not liable for Confederate conscription, and another act prevented the Confederacy from conscripting slave labor. "This legislation," declared General John S. Preston, "is an explicit declaration that this state does not intend to contribute another soldier or slave to the public defense."

In the opinion of the Charleston *Mercury* and the States' rights groups in South Carolina, Davis had left the State defenseless. The newly inaugurated Governor, Andrew G. Magrath, was intent upon pushing the war, but he would do it without aiding the Confederate Government. As Sherman marched into his State, he proposed to Governor Vance that the two Carolinas should co-operate to fight on. Virginia, thought Magrath, would soon be lost, and the Virginia troops in Lee's army would refuse to serve outside of the State. Vance proposed two other remedies: he suggested that the governors should unite in demanding that Johnston be restored to command and that Lee should be made dictator of the Confederacy.

The latter proposal coincided with the desires of the anti-Davis majority of the Confederate Congress. In January, 1865, a group of congressmen proposed to Lee that he should take over the government. The general refused and the congressmen turned to other methods. A bill was passed through Congress creating the office of commanding general. The Virginia Legislature passed resolutions instructing Davis that Lee should be appointed to the new command. Moreover, Davis was less officially informed that he should make changes in his Cabinet. The Congress especially disliked Secretary Seddon.

In the first days of his government, Davis had defied Congress when Secretary Benjamin attacked it. Strong

in his constitutional beliefs, Davis could not yield the principle of control over his Cabinet. Now, however, he would sacrifice the Constitution, his rights, and his power to obtain harmony. He agreed to Seddon's retirement, and on January 26, 1865, he signed the bill creating a commanding general. Lee was immediately appointed, but the general could not be moved by desperation to sacrifice his principles. A firm believer in the subordination of military to civil authority, he accepted the office, saying, "I am indebted alone to the kindness of His Excellency, the President."

Not only was Davis willing to sacrifice his principles, he was also ready to sacrifice the slave property of the South for independence. In his message to Congress, November 7, 1864, he suggested that slaves be purchased from their owners for labor service with the armies. The proposition brought down fire upon his head from constitutionalists and from those who feared that such a concentration of power in executive hands would produce despotism. Yet it was obvious that something must be done to get men, and the slaves were the last resource.

Virginia's Governor, William Smith, recommended to the legislature that the State should arm the slaves and give them freedom. General Lee, surveying his depleted ranks, endorsed the plan. But the Virginia Legislature was unwilling to emancipate slaves. Despite the opposition of Smith and Davis, the legislature provided for enlisting slaves without giving them their freedom. The Confederate Congress at the same time debated bills for Negro soldiers, and in March, 1865, passed an act empowering the President to accept slaves from owners and, if an insufficient number were offered, to call for 300,000 men "irrespective of color" from the States. Davis issued



a general order announcing this law two weeks before Lee surrendered at Appomattox. The act specifically declared that the service of the Negroes should not alter their status as slaves. Several companies of Negroes, assigned to general duty, were raised by Virginia; but this last desperate method came too late to aid the dying Confederacy.

Paralleling his sacrifice of slavery to independence, Davis made another bid for foreign support. In November of 1864, H. S. Foote had arisen in the Senate to propose that the Confederacy should sacrifice the Monroe Doctrine and join with Napoleon in return for recognition. The proposal died in the committee, but it inspired Francis P. Blair of Missouri and Maryland with an idea for peace. To forestall such Confederate action, Blair proposed to Lincoln that he should offer the South restoration, the abandonment of slavery, and a Mexican expedition of Northern and Southern armies under the command of President Davis! With Lincoln's permission Blair visited Richmond, where he stirred up the peace party's hope but failed to inspire Davis. In the meantime Davis proposed feeling out foreign sentiment on the abandonment of slavery. Duncan F. Kenner was appointed a special agent to work with Mason and Slidell. Before Kenner arrived in England, Mason approached Lord Palmerston, who informed him gently but firmly that it was too late to regard the Confederacy as an independent power. Napoleon told Slidell that the question of slavery in the Confederacy had never been considered by France, and no change in Southern policy could alter the fact that the Confederacy was defeated.

One other result came from these peace gestures. During the winter of 1864-65 Vice-President Stephens again

took up his opposition to the Confederate administration. Stephens accused Davis of hoping for the defeat of the Northern peace party. Moreover, Stephens professed to believe that Lincoln was ready to make peace. After Blair's visit to Richmond, Davis appointed a commission, headed by Stephens, to confer with Lincoln on peace. The commissioners met Lincoln and Secretary Seward on board a steamer in Hampton Roads. Stephens proposed an armistice, while Lincoln offered peace only on terms of complete submission. When the commission returned with the news of their failure, Davis pointed out that only war was possible, and the peace movement was temporarily quieted. Peace, however, soon came on the battlefield.

#### 4. APPOMATTOX

By the beginning of 1865 the Confederacy was reduced to a hollow shell. Internal dissension, diplomatic despair, and the failure to obtain re-enforcements could have but one answer. Military collapse followed quickly upon civil failure. On February 1, Sherman struck out from his base in Savannah to repeat in South Carolina his devastating march through Georgia. As they crossed over into South Carolina, a new spirit possessed his men. The newspapers of the State had boasted that its people would make a bolder resistance than had the Georgians. Sherman's men had read the threats and were eager to enter the State where secession and war had begun. As a result of this spirit the restrictions on plundering, observed in Georgia, were ignored in South Carolina, and the men ranged far from the marching columns to bring fire and destruction to South Carolina's countryside. The army was composed

of small farmers of the Middle West who seemed to react violently against the poor whites whom they found in the upcountry. Class hatred combined with the pent-up emotionalism of war psychosis to lay waste the land. Meantime the Confederate and State forces could give but little opposition. Battles, which were no more than skirmishes, were fought, but did not delay the advancing army. At Columbia the city was burned, and Sherman did not disclaim credit for the fire. In North Carolina the vengeful mood of the army abated and there was less destruction and more discipline. Here Joseph E. Johnston gathered soldiers to make a stand. At Averysborough on March 16, and at Bentonville on March 17, he was driven back. On March 23 Sherman halted his march at Goldsborough, where he waited for two weeks. Then he heard that Lee was falling back, and he advanced upon Raleigh, which Johnston abandoned, and on Greensboro, where Johnston surrendered.

In Virginia the campaign was delayed until after Sherman had moved. Early in March Sheridan came in from the Valley and joined Grant before Richmond. In the Confederate capital, Davis and Lee debated whether they should continue to defend Petersburg or fall back, abandoning Richmond to join Johnston in North Carolina. The political necessity of holding on to the capital persuaded the leaders to continue to fight in Virginia. One Confederate attack at Fort Steadman, on March 25, failed to break the Union lines; thereafter, the Southerners fought on the defensive. Sheridan pushed out to Five Forks, where he won a victory, and Grant, hearing the news, ordered an attack along his lines. Too weak to resist on all fronts, the Confederates were driven from Petersburg. With Petersburg gone, Richmond could not

be defended, and the government ordered it abandoned. On April 3 Richmond was evacuated.

The end came quickly. Lee's army marched along the roads which converged at Amelia Court House, hoping to find rations there. But the train with the rations had gone on to Richmond, and the army, without food, pushed on towards Danville. The Union troops, pressing close, were ahead of them, and Lee turned toward Lynchburg. But again the Confederates were confronted by Federal troops. On the morning of April 9, the Confederate commander sent for General Grant.

The two commanders met at the house of Wilmer McLean at Appomattox. Grant was determined upon peace and reconciliation. He offered generous terms. The army was to be paroled to return to their homes, the men taking their horses, to remain until the war was over. Lee sadly signed the agreement, surrendering 28,000 officers and men.

The news of the surrender reached Johnston and Sherman in North Carolina. Immediately these generals sought a conference and on April 18 they signed an agreement. This Sherman-Johnston convention was far more inclusive than the agreement that Grant made with Lee. It provided that the Southern State legislatures should reassemble, and made other political arrangements. In Washington the terms were unacceptable, but Grant joined Sherman, and Johnston surrendered his army on the same terms as Lee's surrender had been made. On May 4 a convention between Generals Canby and Richard Taylor surrendered the armies in the far South, while west of the Mississippi Kirby Smith surrendered his department on May 26. On the high seas, the Cruiser *Shenandoah* fired the last shot on June 28 and on Novem-

ber 6, in Liverpool, hauled down the last Confederate flag.

Fleeing from the wreck of his government, Jefferson Davis made his way to Johnston's army, hoping that the war might go on. But Johnston's officers refused to continue a hopeless struggle. Davis left them to hasten towards México. On May 10 in southern Georgia he was captured and carried to Fortress Monroe. There also were Alexander Stephens and other high officials. The army, 174,000 war-weary soldiers, were making their way afoot to their wrecked homes.

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## CHAPTER XXII

### THE PROBLEM OF RECONSTRUCTION

#### 1. THE PROSTRATE SOUTH

THE military aspects of the Civil War ended at Appomattox, but the conflict between the basic economic and social institutions of the North and the South, between the constitutional theories and the political practices of the sections, did not end when Lee's paroled soldiers returned to their homes. The basic differences remained, and there was still much for the Masters of Capital to do to make sure their victory over the Lords of the Manor. In the North the victors faced the problems of retaining control of the National Government and of effecting an economic penetration of the South. South of the Ohio and the Potomac, the ex-Confederates sought to adjust themselves to new conditions, to solve the social and economic problems which resulted from emancipation, to recreate a political society through which they might regain power in the Nation, and to preserve a few remnants of their old way of life from the devastating onslaughts of "Yankee" ideas and ideals. Reconstruction, rather than the Civil War, destroyed the Old South.

The soldiers who returned from the war found widespread desolation at their homes. In the Shenandoah Valley, blackened chimneys stood sentinel over cold ash heaps which once were houses. Throughout the South,

fences were down, weeds had overrun the fields, windows were broken, live stock had disappeared. The assessed valuation of property declined from 30 to 60 per cent in the decade after 1860. Charleston was "a city of ruins, of desolation, of vacant houses, of widowed women, of rotten wharves, of deserted warehouses, of weed-wild gardens, of miles of grass-grown streets, of acres of pitiful and voiceful barrenness." In Mobile, business was stagnant; Chattanooga and Nashville were ruined; and Atlanta's industrial sections were in ashes.

More fundamental than the destruction of property and the paralysis of business was the disappearance of the South's basic economic institution. Slavery had ended as the advancing Federal armies carried news of the Emancipation Proclamation and the confiscation acts into the Black Belt. Negroes, rejoicing in their freedom, had left their homes to wander into the cities or to become noisy and predatory camp followers about the garrisons. Over \$1,000,000,000 worth of property, constituting the largest single investment of the South, was thus permanently lost. Moreover, the Negro was not only lost property—he was also lost labor. In the cities and at the posts where they congregated, the Negroes waited for the government which had set them free to care for them. Planters' efforts to entice their former slaves back to labor for hire met with no success.

Serious social problems were the immediate result of the disruption of the slave system. Slavery had served to discipline the labor force, but the first reaction of the Negroes to emancipation was to acquire a gun, a dog, and frequently a new wife to accompany him on his wanderings. In the garrison towns he fell victim to the white man's diseases and vices. Mingled with some of the worst



excesses of vice were the emotional disturbances of the camp meeting and the religious revival. Negroes formed churches of their own, separating spiritually from their old masters. The zeal for equality led some to try learning to read, and a few even attempted Latin and Greek. But the little that could be done in educating them in a formal manner did not prevent their becoming victims of every salesman who offered hair straightener, skin bleaches, and even patriotically striped stakes with which to mark off the land which the government would soon distribute. In the midst of such excitement manners and morals alike suffered in the Negro camps. Stealing from the whites—a minor offense in the days of plenty when the culprit's was one's own property—soon became an accepted means of subsistence. Under the tutelage of Yankees, the Negroes became impudent. Their impudence was but the ignorant assertion of a new-found equality, but nothing could have been more irritating to the Southerners. In a land where good manners had been an essential attribute of cultural achievement, bad manners were a sin of great magnitude. Clashes with the lower elements of the whites became common. Among the better classes the tendency to withdraw their former kindly patronage of the Negro was marked. The old master class had not shared in the race prejudice which characterized the poor whites. Although the slave-owner had believed that the Negro was inferior, he had wished him well and had made such adjustments as were necessary to work with him in slavery. With the withdrawal of such a patriarchal cordiality, the prejudices of the poor whites became the dominant philosophy of the South. Perhaps this was the worst calamity of a "tragic era."

When the Confederate soldier returned to his home, he

found that Federal Treasury agents had been there before him. The close of the war opened a vast field for speculators, not the least of whom were officials sent out by the Treasury Department. The Federal Government had restricted the trade in cotton during the war, and the restrictions remained to harass the Southerner after peace came. The Southerner was forbidden to use the great stores of cotton which had been accumulated during the war and which might have given him a basis on which to re-establish his credit. Government agents seized cotton which had been collected in warehouses under the Confederate tax in kind and cotton which was subject to claim by the Confederacy. In some places, ingenious agents collected delinquent Confederate taxes. Cotton which was not so seized was subject to a 25 per cent tax, a shipping duty, and a revenue tax. The revenue tax alone, amounting to two or three cents a pound, produced \$68,000,000—which more than covered the expenses of the government in “reconstructing” the South during the three years after Appomattox. The Treasury agents, each presiding over a district, received a commission of 25 per cent on abandoned or confiscated property seized. The agents turned over \$34,000,000 to the government on cotton alone. Much of the cotton was illegally seized, and for a generation cotton claims were presented to the Treasury. In all, over 40,000 claimants were recompensed for cotton which had been wrongfully taken. In addition to cotton, the diligent and often dishonest agents seized horses, mules, tobacco, rice, and sugar. With movable property reduced to ashes or sequestered by the Federal Government, the Southerner had only his land—and no labor supply.

Conditions among the professions were as bad as those on the farms. Lawyers found the courts closed to them unless they could take oath that they had not willingly aided the Confederacy. Physicians had work but no remuneration. Schools were closed and teachers scattered. General Lee sought for employment and finally accepted the presidency of Washington College in Virginia, and many former Confederate officers turned to teaching. Engineers saw opportunities on every hand, but there was no capital to launch enterprises for their skill. Joseph E. Johnston became an insurance agent, and Beauregard took over the presidency of a bankrupt railroad and finally sold his name and prestige to the Louisiana State Lottery. Hundreds of officers thought of migrating to Mexico, Argentina, or Brazil, and some went. There was no employment, and high officers of the Confederate Army were seen peddling homemade cakes about the Federal garrisons.

Like agriculture, commerce, and the professions, the South's public works and industry were destroyed. Canals, harbors, and wharves were useless and railroads were without ties, tracks, rolling stock, locomotives, or money. Railroads had been abandoned as their equipment was needed in vital lines, and there had been no replacements during four years. Bridges had been burned by retreating armies or by raiders. Sherman had destroyed 136 of the 281 miles of the Central Railroad of Georgia. Floods had washed out sections of the roadbeds of the Memphis and Little Rock Line. Depots had been burned everywhere. In industry there was nothing left. Iron works which had been developed during the war were worn out when it ended. Salt works had been destroyed

by raiders. Cotton mills at Jackson and at Atlanta had been destroyed by Grant's and Sherman's armies. The banking capital of the South was gone.

## 2. THE NORTH AND THE PROSTRATE SOUTH

At the close of the war, the South was almost a *tabula rasa* upon which might be constructed a new society. On the other hand, there were many in the North who saw opportunities for economic profit and political advancement in the defeated region. Hardly had the last musket been stacked when there came a horde of adventurers into the Southern States.

Long before the war ended, cotton speculators followed the advancing Federal armies to trade with the vanquished. At Vicksburg and Memphis they so harassed General Grant that he finally issued an order excluding "Jews as a class" from his department. In New Orleans, General Butler's civilian brother traded in cotton and did a thriving business in petty graft. Treasury agents took over abandoned plantations and worked them for the benefit of the government—and themselves. The Red River expedition was caused by, and failed because of, cotton speculators. Such activities whetted an appetite for profits; and when the war closed, Northern business men looked to the South as a colony into which business might expand. "Sober, substantial men" everywhere, recorded Grant's aide-de-camp, were in favor of a lenient policy toward the South in order that business might penetrate the region. The *New York Commercial and Financial Chronicle* was sure that the Southerners would become loyal if they would "turn their energies to the pursuits of peace, and the accumulation of wealth." In order to en-

courage this transformation, the paper recorded that "Northern men, accustomed to business, have gone South" to give impetus to industrial development. Other newspapers took up the cry, advertising the South as a new land of opportunity and advising the Southerners to accept immigration and welcome capital.

To the distressed planters this Northern migration appeared to offer salvation. Numbers offered their lands for sale, and many took in Northern partners both because they needed capital and because they thought Negroes might work for Northern men. Young officers from the Federal armies returned to the South to purchase plantations to extract a hasty profit from the soaring price of cotton. They, too, believed that the ex-slaves would work for Northerners. In North and South, companies of Northerners were incorporated to develop the South's natural resources. The Tennessee Colonial, Agricultural, Mining and Manufacturing Company was chartered by one Tennessean and four New Yorkers, who raised \$20,000 to engage in a variety of undertakings. General J. T. Wilder, who had commanded an Indiana regiment at Chickamauga, gathered what money he could from his neighbors at home and rushed back to east Tennessee to mine and manufacture iron. Plans ripened hurriedly to settle Northern colonies in the South.

The number of those who went South for business reasons was augmented by migrants who were motivated by a missionary zeal. Northern groups with humanitarian impulses sent teachers into the South to educate the Negroes and the poorer whites. Their assumption that co-racial education was possible was soon found to be an error, and few of the teachers remained. More permanent were the agents of Northern churches who came South to

take over Southern church property. During the war the Federal armies had occupied churches as garrisons, hospitals, and storehouses; at the end of the war, Secretary Stanton surrendered to bishops of the Methodist Episcopal Church "all houses of worship belonging to the Methodist Episcopal Church, South, in which a loyal preacher appointed by a loyal bishop does now officiate." The other churches which had divided during the slavery controversy obtained similar concessions from the War Department. "The true policy," declared one religious journal, "is to be upon the ground while society is in its chaotic state" and to organize churches which would free the South from "utter barbarism" by the "infusion of a purer, a liberty-loving Christianity." Army chaplains and volunteer missionaries co-operated with Unionist pastors in the South to restore the Southern churches to Northern communions. School property belonging to Southern churches passed into the hands of Northern religious educators, who attempted, with varying success, to carry the Northern gospel of business success and abolitionism to Southerners.

While salesmen of hair-straighteners, would-be planters, idealistic teachers, grasping clergymen, and profit-seeking capitalists were ferreting out the opportunities for gain in the South, Northern politicians were devising theories which would enable them to maintain their dominance in the government. The Negroes in the South, given the franchise, would vote the Republican ticket and thereby enable the party to remain in power in the Nation. If the Republicans could hold onto a majority in Congress, the South might be remolded closer to the Northern pattern, economic exploitation of the defeated region might be

facilitated, and the tariff, internal improvements, and the banking system might be maintained.

In the beginning only the more advanced of the politicians perceived the political necessity for preventing the old Southern leaders from returning to power. Charles Sumner propounded a theory that the States, in attempting to secede, had committed suicide. They had ceased to be States and had become territories subject to "the exclusive jurisdiction of Congress." Sumner proposed that Congress should abolish slavery, grant free political and civil rights to Negroes, and provide for their education. Like Sumner, Thaddeus Stevens, Representative from Pennsylvania, whose property had been destroyed by a Confederate raid, demanded that the North take vengeance on the South. Stevens advanced a "conquered province" theory which admitted that the South had seceded, but, having been defeated, was to be treated as conquered territory without regard to the restrictions of the Constitution. He proposed that the "proud nobility" should be stripped of property and reduced to manual labor while new men should settle their estates. Old abolitionists and zealous Republicans soon subscribed to Sumner's and Stevens's views.

### 3. LINCOLN'S PLAN OF RECONSTRUCTION

Unlike the politicians of his party and the economic interests which they represented, President Lincoln had early devised his own plan of reconstruction. Throughout the war, Lincoln had carefully preserved the somewhat ridiculous little Pierpont government in Virginia. After giving West Virginia permission to become a State, Pier-

pont's Virginia was reduced to a few miles on the South bank of the Potomac and the territory around Fortress Monroe and Norfolk. The capital was established at Alexandria, where the legislature of 16 delegates and 7 senators claimed jurisdiction over the region within the Union lines. Although Pierpont occasionally embarrassed the military officials, Lincoln recognized and supported his government in the hopes that it might prove the nucleus about which the State might be restored.

The second step in Lincoln's policy was revealed in Tennessee. As soon as Nashville had fallen, the President appointed Andrew Johnson, the only Southern Senator to refuse to abandon his seat, as military governor. Johnson was instructed to establish courts, fill offices, and prepare the way for a restoration of civil government. In September, 1863, Lincoln ordered Johnson to take steps to establish "a republican form of State government." A convention assembled and provided for choosing Presidential electors for the 1864 election. In January, 1865, another convention, chosen under the auspices of the military authorities, amended the constitution by abolishing slavery, renounced the ordinance of secession, and approved Johnson's acts. An election resulted in choosing Parson Brownlow Governor, and he was inaugurated in April just before Lee's surrender.

Soon after establishing a military government in Tennessee, Lincoln appointed a military governor for Louisiana. The governor was instructed to hold elections for Congress, and the representatives were seated. Senators chosen, however, were not allowed to take their seats. In 1863, State elections were held under the State's constitution, and the governor, Michael Hahn, was also appointed military governor. In April, 1864, a constitu-



tional convention drafted a new constitution abolishing slavery, and in October the civil government under the constitution was inaugurated.

As the Federal armies gained footholds in the other States, the President appointed other military governors. Only in Arkansas, however, were steps taken similar to those in Tennessee and Louisiana. In January, 1864, a convention met at Little Rock, repealed the ordinance of secession, repudiated the State's Confederate debt, and abolished slavery. A popular vote ratified the amendments and chose a civil government.

On December 8, 1863, while these military governments were preparing the way for civil establishments, Lincoln clarified his own program in a "Proclamation of Amnesty and Reconstruction." With the exception of high civil and military officials of the Confederacy and those who had resigned Federal offices after taking an oath to uphold the Constitution, all Southerners might be restored to civil rights upon taking an oath of loyalty to the United States. When a number of citizens equal to ten per cent of the State's vote in 1860 had taken the oath, they might establish a civil government by holding an election for State and local officials. Such a program was comparatively easy to carry out and bore promise of a rapid restoration of the Southern States. It was well received in the North. In a letter to a Louisianian, the President had declared: "I shall do nothing in malice. What I deal with is too vast for malicious dealing." The majority of the Northern people approved the sentiment.

But the politicians of the President's own party were not actuated by Lincoln's singleness of purpose. While he was intent only upon restoring the Union, the radical members of Congress were anxious that the restoration

should take place in a manner that would serve their own economic and political ends. From the beginning of the war there had been an element in the Republican party which was opposed to Lincoln. Old Abolitionists for the most part, they had rejoiced in Frémont's emancipation proclamation and had cheered Butler's crude acts. Ensconced in the Committee on the Conduct of the War, they used the committee to harass generals in the field and to interfere with the President's control of the army. The committee had carefully fostered the worst expressions of war psychosis and had broadcast atrocity stories of the massacre at Fort Pillow and of the Confederate prisons. Eager to punish the South, to destroy slavery, and to erect a new society on the ruins of the Confederacy, the radical leaders of Congress resented Lincoln's conciliatory attitude.

In the beginning the strongest weapon in the radicals' hands was Congressional jealousy of the executive. Lincoln had begun the war without consulting Congress and had steadily assumed powers which in peace would have belonged to the legislative branch. When Lincoln informed Congress of his Amnesty Proclamation, Thaddeus Stevens and Maryland's Henry Winter Davis proposed that a special committee be appointed to consider the treatment of the Southern States. Davis became the chairman of a special House committee, and Benjamin Wade, old Abolitionist from Ohio's Western Reserve, took up the matter in the Senate. The procedure set forth in the radical Wade-Davis Bill was more elaborate than that of the Amnesty Proclamation. It provided that 50 per cent of the inhabitants should take an oath of loyalty before the State could resume civil government. Then the military governor should order an elec-

tion for a convention which must amend the constitution to abolish slavery, repudiate the Confederate debt, and disfranchise all officials of State and Confederate governments and all military officers with a colonel's or higher rank.

This bill came to Lincoln in the last moments of Congress, and he gave it a pocket veto. Since an election was impending, however, Lincoln issued a proclamation concerning his act. He declared that he was unwilling to be committed to a single plan of reconstruction and was unwilling to see the free-State constitutions of Louisiana and Arkansas overthrown. He favored an amendment to the Federal constitution abolishing slavery rather than separate action by the States. Should any State, however, prefer to follow the procedure of the Wade-Davis Bill, he would welcome it back into the Union.

This proclamation was immediately answered by Wade and Davis in a manifesto declaring Lincoln's action a "studied outrage on the legislative authority of the people" and warning the President "that the authority of Congress is paramount and must be respected." For months past the radicals had been looking for a candidate more malicious than Lincoln. Secretary Chase was first considered, but Lincoln defeated their move; then the radicals called a meeting in Cleveland, where they placed John C. Frémont in nomination. Throughout the summer, Frémont's candidacy threatened to take radical support from the Republican ticket, but in September Lincoln made bargains with the radicals and Frémont withdrew. In the election the radicals supported Lincoln, although the President interpreted the result as an endorsement of his own plan of reconstruction.

But the radicals were unwilling to concede defeat, and

in the Congressional session of 1864-65 they drew clearly the lines of opposition. The question came to the fore with the attempt of Louisiana's newly elected Senators to take their seats. Senator Sumner led the opposition and threatened to block all appropriations unless a bill to recognize Louisiana's government was dropped. In the end, the administration's supporters withdrew the bill and the radicals had won their first victory. Lincoln's policy of peace yielded to the radical desire for vengeance.

Lincoln was pleased that Congress was not in session when Lee surrendered. As the war drew to an end, the President conferred with Grant and Sherman on his plans for the South. To Sherman Lincoln intimated that he would prefer to have Jefferson Davis escape, and he authorized the general to guarantee full civil rights to citizens. The State governments already in session would be recognized *de facto*. When Richmond fell, Lincoln went to the Virginia capital, where he instructed the commander, General Godfrey Weitzel, to reassemble the Virginia Legislature. Evidently the President was anxious to avoid the anarchy which might accompany an interregnum.

On April 11, Lincoln addressed a crowd who had called at the White House to rejoice at the news from Appomattox. He spoke of his program of reconstruction, reviewed the case of Louisiana, and declared that the theories of the status of the Southern States was "a merely pernicious abstraction." "We all agree that the seceded States, so-called, are out of their proper practical relation with the Union, and that the sole object of the government, civil and military, in regard to those States, is to again get them into that proper practical relation. I believe it is not only possible, but in fact easier to do

this without deciding, or even considering, whether these States have ever been out of the Union, than with it. Finding themselves safely at home, it would be utterly immaterial whether they had ever been abroad. Let us all join in doing the acts necessary to restoring the proper practical relations between these States and the Union, and each forever after innocently indulge his own opinion whether, in doing the acts, he brought the States from without the Union, or only gave them proper assistance, they never having been out of it."

For the next three days Lincoln discussed his plans with the Cabinet. On the night of April 14, the President attended the theater where he was shot by the actor John Wilkes Booth, a misguided and possibly deranged Southern sympathizer. With his death the next day the radicals gained a second victory for their policy of subjugation and vengeance.

#### 4. ANDREW JOHNSON'S PLAN OF RECONSTRUCTION

Abraham Lincoln's successor had had a long and varied career before his accidental accession to the Presidency. Born of poor parents in Raleigh, North Carolina, in 1808, Andrew Johnson had grown up in the South. But the South which Johnson knew was not the land of legend and the home of the cotton aristocrats. Heir to no acres where the fleecy staple could be grown, possessor of no slaves at the outset, Johnson had had to make his own living and had been bound out to a tailor. Escaping from his apprenticeship, he made his way to Greeneville in east Tennessee, where he opened a tailor shop. For some years Johnson combined an interest in local politics with his tailoring business. Educating himself, he be-

came locally the champion of the artisan, the laborer, and the small farmer. With such a creed, he rose successively through the offices of alderman and mayor of Greeneville, representative in the State legislature, State Senator, Congressman, Governor, and United States Senator. In national politics Johnson made himself conspicuous by his opposition to his fellow Southerners. Alone of the Southern Senators he was the representative of the small farming yeoman of his section. He was an adherent of the doctrines of States' rights after the best principles of Calhoun, but he rejected the leadership of Jefferson Davis. As a strict constructionist, Johnson could find no constitutional mandate for secession. Moreover, he believed that secession was a conspiracy of the cotton capitalists and the aristocrats. In Congress he had sponsored the Homestead Bill, anathema to the slaveholders' representatives, and had brought the wrath of his colleagues upon his head. Neither for himself nor for east Tennessee could Johnson perceive an attractive future in a Confederacy ruled by aristocrats for the benefit of cotton. When Tennessee seceded, Johnson retained his seat in the United States Senate.

In personal qualities Johnson was a man of rough intellectual vigor and of great physical and moral courage. His mind was strong if not great, drawing its strength from his deep knowledge of and devotion to the Constitution. In private the President was a good-mannered, well-dressed gentleman; in public manner he was brusque. He had learned political oratory upon the Tennessee hustings, where the accepted technique was to batter one's opponents by personal attacks. Johnson's political experience had taught him to fight with verbal bludgeons. In the situation before him, Lincoln's witty

rapier would have stood him in better stead. To great moral courage, a devotion to the Constitution, and a vigorous habit of speech the President added both obstinacy and indecision. The strange combination was to prove disastrous both for himself and for the South.

When Johnson was nominated for the Vice-Presidency, the radicals were delighted, and many of them were pleased when he became President. As soon as he was sworn in, radicals began to urge their own policy of reconstruction upon him. A radical caucus discussed Johnson's Cabinet on the afternoon after Lincoln's death. Wade's Committee on the Conduct of the War called to assure the new President of their faith in him. "By the gods," exclaimed Wade, "there will be no trouble now in running the government."

Johnson had breathed many threats during the war against the rebels. Treason, he had proclaimed, should be made odious and traitors "punished and impoverished." Radicals urged that Lee should be punished, and the Confederate commander appealed to Grant. The Union general came to the aid of his opponent, advised Lee to apply for pardon, and personally presented his case to the President. When Johnson asked when the Southern generals could be punished, Grant replied that their paroles exempted them from civil processes. Lee was pardoned. Yet Johnson, although yielding in this to moderation, gave way before rising radical sentiment and rejected the convention which Sherman made with Johnston. The news of this arrangement came while the body of Lincoln lay in state in the Capitol and before his murderer had been captured. In the excited state of Northern feeling, Sherman's mild terms would have been unacceptable in the North. The Sherman-Johnston Con-

vention had provided that the Southern State legislatures should reassemble, and promised that they would be reorganized by the President. Federal courts were to be re-established and soldiers and citizens were to be unmolested. In every respect this program was in accordance with Lincoln's program, but Lincoln's death had stirred up such bitterness in the North that Sherman's act seemed treasonable. Radicals capitalized upon Lincoln's murder, and in the Cabinet Secretary Stanton took the lead in urging the repudiation of the convention. Grant hurried to North Carolina to change the terms of the surrender while Northern newspapers denounced Sherman. Meanwhile, Johnson breathed vengeance, declaring that "traitors must take a back seat in the work of reconstruction."

But while Johnson was sympathetic with the radicals in their desire for the prosecution of the leading Southerners, the President was actuated by motives different from those of the radicals. The radical support came from industrial and financial centers, and the politicians were seeking to control the National Government in behalf of the national banks, the protective tariff, and the railroads. To obtain this control, Negro suffrage was a necessity. To Johnson, on the other hand, the interests of industry, internal improvements, and finance made little appeal. He was interested in the small farmers, the yeoman and the poor whites of the South. To him the downfall of the Confederacy offered opportunity to his own kind to control the South. Politically, Johnson would organize a party on the basis of the poorer whites rather than the Negro. It was upon the issue of Negro suffrage that Johnson split with the radicals.

As for Negro suffrage, Johnson had no objection to giving the ballot to the blacks, but he would have the



States rather than the National Government confer the suffrage. As a believer in States' rights, Johnson contended that the States had control over the suffrage. Johnson hoped that States would confer the vote upon Negroes who possessed sufficient property and intelligence to co-operate with the suppressed white classes of the South. Johnson's program was opposed by both the old bourbons of the South and by the radicals of the North.

The first announcement of Johnson's program came in a Proclamation of Amnesty on May 29. In the preceding weeks Johnson had consulted the Cabinet and had formulated his proclamation only after having considered Lincoln's plans. Lincoln's proclamation was superseded by this plan. The major difference between Lincoln's and Johnson's proclamations was the exclusion of holders of \$20,000 worth of property from the terms of amnesty. This was a clear indication that Johnson expected to reconstruct the South through the poor whites and the yeoman farmers.

At the same time that his Amnesty Proclamation was announced, Johnson issued a proclamation for the reconstruction of North Carolina. For some weeks the President had been consulting the Unionist leaders of the State, and his program was based on their advice. Citing the constitutional requirement that each State have a republican form of government, and asserting that he was acting under his powers as Commander-in-Chief of the Army, Johnson appointed W. W. Holden to be military governor of North Carolina. Holden had been the anti-Davis leader of the small farmers in the Confederacy. The provisional governor was instructed to administer an oath of allegiance and to call a convention, chosen by the loyal citizens of the State, which should make the

necessary changes in the State constitution and prepare it to resume its normal relations with the other States of the Union. The State convention might set the requirements for the suffrage and for office-holding.

This plan, involving the calling of a State convention which might be expected to amend the constitution in the direction of repudiating the Confederate debt and granting limited Negro suffrage, was closer to the Wade-Davis Bill than to Lincoln's final plans. The radicals, however, had moved beyond the Wade-Davis Bill to the point where their leaders were insisting upon Negro suffrage. There was an immediate chorus of disapproval of Johnson's policy. "*Our safety and the peace of the Country*" declared one of them, "requires us to disenfranchise the Rebels and enfranchise the colored citizens in the revolted States." As Johnson issued more proclamations for the other Southern States and appointed more governors, the radical opposition grew. Soon they were charging that the Johnson governors were appointing secessionists to office and discriminating against Union men. The radicals began to organize to control the coming Congress and to gather information in behalf of their restrictive policy.

## 5. THE JOHNSONIAN GOVERNMENTS IN THE SOUTH

As the radicals began to criticize his acts, Johnson sent agents into the South to report on the sentiments of the Southern people. Most notable of these agents were Carl Schurz and General Grant. Expected to make a report in favor of Johnson's policy, Schurz accepted money for articles from a radical newspaper, and allowed Sumner's friends to pay the premium on his insurance policies,

and returned from the South with a report that disloyal sentiments were prevalent and that Negro suffrage was necessary to protect the freedman. General Grant's report was of exactly opposite tenor and fully endorsed Johnson's lenient policy.

Meantime the provisional governors in the South assembled State conventions. Mississippi held the first convention. Governor William L. Sharkey had been a Whig and a leading Unionist in the fifties. In the elections the Unionists, many of them former Whigs, were selected for the convention. The convention was warned that unless it followed Johnson's guidance, the State would be treated as a conquered province. The members annulled the ordinance of secession and declared that slavery should be abolished, but ignored Johnson's advice to grant a limited Negro suffrage. In Alabama there developed a division between the Unionists of the northern section and the representatives of the Black Belt. The old secessionist element delayed action on the debt and on abolishing slavery, although there was a final victory for the north Alabamians on these issues. The abandonment of the Negro in apportioning representation gave increased power to the small farmers of the northern section. In South Carolina, Governor Benjamin F. Perry advised the convention that the "radical Republican party North are looking . . . to Negro suffrage. . . . They forget that this is a white man's government, and intended for white men only . . . to extend universal suffrage to the freedmen in their present ignorant and degraded condition would be little less than folly and madness. It would be giving to the mass of wealth and large landed possessions in the State a most undue influence in all elections on account of his power to vote at will his em-

ployees." The convention failed to grant Negro suffrage, but by ending the "three-fifths" representation of the Negroes turned control of the State over to the up-country. Greater democracy in State administration came with the popular election of the governor and Presidential electors taking the place of election by the legislature. In North Carolina a memorial from a Negro convention was ignored and the Confederate war debt was repudiated with bad grace.

In all of these States the Unionist element was in control and gave indications that a political party might be founded upon the former submerged white classes of the South. Yet the fact that these elements showed no inclination to grant Negro suffrage played into the hands of the Northern radicals. South Carolina failed to repudiate her war debt, Mississippi organized a State militia, and none of the States gave evidence of humility. The radicals, who could look upon the rise of the Southern yeomen and small farmers only with disapproval, redoubled their efforts to arouse Northern sentiment against the South.

In the elections which followed, the Unionists won most of the offices and controlled the State legislatures. When the legislatures met in November, they ratified the Thirteenth Amendment abolishing slavery and showed their Unionism by electing Senators who represented the old anti-secessionist elements. Mississippi elected Governor Sharkey and the Northern-born James L. Alcorn; Governor Perry and John L. Manning were selected by South Carolina; North Carolina elected Unionists. In Georgia, Alexander H. Stephens, just released from Fort Warren, advised the legislature to accept the situation with patience and make an honest effort at readjustment.

Stephens and Hershel V. Johnson, the Douglas Vice-Presidential candidate in 1860, were elected to the Senate. By the time that Congress met in December, the Southern States had governments, regularly elected and under the control of the classes which had opposed secession and had fought against the aristocratic government of the Confederacy. But the radicals were not interested in reconstructing the South in the interests of Andrew Johnson's small farmers, laborers, artisans, and poor whites.

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## CHAPTER XXIII

### RADICAL RECONSTRUCTION

#### 1. CONGRESS AND JOHNSON

**B**Y THE time Congress met in December, 1865, the leading radicals had agreed that Negro suffrage should be forced upon the South and that the control of reconstruction should be taken out of the President's hands. The majority of the Northern people and of the Republican party were not in favor of the radical position, but quick action, close organization, and vituperative audacity brought a radical victory. A few days before Congress assembled, Thaddeus Stevens gathered his fellow radicals in a caucus, where they prepared to control the Republican party. In the Republican caucus the radicals committed the party not to admit congressmen from the South. When the House of Representatives organized, the clerk, acting on instructions from the radicals, omitted the names of Southern congressmen. Even Horace Maynard and other Tennesseans who had sat in the previous Congress were excluded. To the Democratic question, "If Tennessee is not in the Union . . . by what right does the President of the United States usurp a place in the White House?" the radicals gave no answer but proceeded to ignore the Johnson governments and to treat the Southern States as outside the Union. A joint committee of 15 was created to determine the conditions upon

which the Southern States would be entitled to representation in Congress. Shortly after Congress reassembled, Secretary Seward announced that the Thirteenth Amendment, abolishing slavery, had been ratified by a sufficient number of States. The Amendment had been adopted by the votes of the Southern States, but the radicals ignored the inconsistency of accepting the highest sovereign act of a State at the same time that its representatives were excluded from Congress. In fact, since it made the three-fifths provision of the Constitution inoperative, the Amendment had the strange effect of entitling the Southern States to increased representation after the next Census. This constituted an additional reason for imposing restrictions on the South.

As the successor of the Committee on the Conduct of the War, the Joint Committee took over the earlier committee's functions of disseminating propaganda against the South and fomenting dissension against the President. In both of these tasks the radical committee found conditions favorable to their purposes. Democrats, whose loyalty had been suspected during the war, endorsed Johnson's policy and embarrassed the moderate Republicans, who sought to defend the President against radical attacks. At the same time, the Southern legislatures began to pass "black codes" which soon became valuable ammunition for the radical guns. These codes were efforts by the Southerners to solve the problems created by the South's disorganized labor force. Unfortunately, they were ineptly drawn and revealed the anti-Negro sentiments of the Southern nonslaveholders as well as an almost criminal ignorance of Northern psychology. The Southern codes were designed to regulate the activities of the Negroes upon a basis somewhere between slavery



and complete equality with the whites. The old laws which had regulated the slaves were not applicable to the new situation; slavery had solved problems which now called for legislation. The family life of the Negro, his morals, and his personal conduct had been cared for by the system of slavery but now needed to be defined by law. The Negroes' status in the courts had to be fixed, whites needed to be protected, and care had to be provided for the old, the infirm, and the orphans. By the codes which the legislatures drafted, Negroes were defined as those possessing one-eighth or more of Negro blood, intermarriage of the races was prohibited, slave marriages were made valid, and the children of slaves were legitimated. A Negro was permitted to testify in court where one party to a suit was of his own race. Schools for Negroes were provided in some States, but separation of the races in education was provided for. Mississippi invented the "Jim Crow" car. In several States, Negroes were required to have a license to carry arms, to preach, or to engage in trade. In Mississippi a Negro might own land only in towns; in other States, only in the country. Apprenticeship laws were called into force to regulate Negroes, and Negro orphans were bound over to their former masters. All the States passed strict vagrancy laws and provided that vagrants were to be hired out to the highest bidder to work out their fines, the former master being given a preference. South Carolina's laws instructed Negroes to rise early in the morning and retire at a reasonable hour.

As interpreted by the radicals, such laws proved that the Southerners were not accepting the results of the war but were attempting to re-establish the fact if not the name of slavery. If the Negro were to be saved from

re-enslavement, the Federal Government would have to protect him against his former masters. In order to accord the necessary protection, the radicals prepared to extend the powers and duration of the war-created Freedmen's Bureau.

The Bureau of Refugees, Freedmen and Abandoned Lands had been an outgrowth of the experience of the Union armies in handling Negroes. Following upon Butler's declaration that Negroes were contraband, Army officials put Negroes to work not only on fortifications but also on the available abandoned lands. Benevolent societies whose agents followed the armies came under Army regulations. The Treasury Department agents also made extensive use of the Negroes. In March, 1863, these agencies were consolidated in a bureau in the War Department. The Freedmen's Bureau was to control all matters relating to Negroes and refugees for one year after the war ended.

Since Johnson had declared the war at an end, the Bureau would expire unless it were given a new lease on life. Senator Lyman Trumbull, of Illinois, introduced a bill which would give the Bureau power to act as a court to secure equal justice to the freedman. An agent of the Bureau in each county would protect Negroes from injustice. The Bureau would issue medical supplies and co-operate with private charitable agencies. Confiscated property might be allotted or sold to the freedmen. The Freedmen's Bureau would thus act as a substitute for the destroyed plantation system and make the Negroes "wards of the Nation." Through it they would be prepared to assume the obligations of citizenship under the auspices of the Republican party.

The bill passed Congress the first week in February,

1866. On February 19, Johnson returned it with a veto which pointed out that the bill made civil courts subordinate to military ones, and that no conditions justified this extension of military power. The Bureau would permanently pauperize the freedmen by causing them to expect much from the government. The measure would antagonize the whites and keep alive war hatred between the sections.

Three days after the veto, Johnson's supporters assembled in a Washington theater to endorse the President's act. Carrying their resolutions, they went to the White House, where Johnson took advantage of an appreciative audience to denounce the radicals. Always a fiery speaker given to personal attacks, Johnson's oratorical techniques were those of recrimination and invective. Intoxicated by the cheers of the crowd, Johnson followed a temperate speech with intemperate remarks about his radical opponents, calling the names of Sumner, Stevens, and Wendell Phillips. Such expressions were unfortunate, for the next day the radical newspapers charged that the President was drunk both when he made the speech and when he had vetoed the Freedmen's Bureau Bill.

The radicals were unable to override the Presidential veto in the Senate, but they succeeded in ousting one of the New Jersey Senators and seating a radical in his place. This done, they waited for Johnson's veto of the Civil Rights Bill. This act, introduced at the same time as the Freedmen's Bureau Bill, was designed to "protect all persons of the United States in their civil rights, and to furnish the means of their vindication." The act provided that all persons born in the United States should have full rights in every State to make contracts, hold property, and enjoy such full protection of the laws

"as is enjoyed by white citizens." Any person discriminating against Negroes under State laws should be tried in Federal courts, whose decisions were to be enforced by the military. The law would give the two races in the South exactly equal status.

Johnson's friends urged him to accept this law, but the President refused to yield his constitutional scruples to arguments of expediency. His veto message pointed out that the bill would give citizenship to Chinese on the Pacific Coast, that it would deny legislators their constitutional immunity from punishment, that it would make Negroes citizens of the United States without giving them State citizenship, and that the machinery for its execution was both inadequate and unconstitutional. The message made no impression on the radicals, who immediately put their strength to the test. For the first time in American history, Congress overrode a President's veto.

Having proved their strength, the radicals announced their program in a report from the Joint Committee on Reconstruction. Stating that it had listened to testimony from many sources, the Committee declared that the South deliberately purposed to oppress white Unionists and freedmen. The Southern States had deliberately seceded from the Union and had waged war upon the United States until vanquished by arms. "These rebellious enemies were conquered by the people of the United States, acting through all the co-ordinate branches of the government, and not by the executive alone. The powers of conqueror are not so vested in the President that he can fix and regulate the terms and settlement and confer congressional representation on conquered rebels and traitors. . . . The question before Congress is, then, whether conquered enemies have the right, and shall be

permitted at their own pleasure and on their own terms, to participate in making laws for their conquerors; whether conquered rebels may change their theater of operations from the battlefield, where they were defeated and overthrown, to the halls of Congress, and, through their representatives, seize upon the government which they fought to destroy. . . ." The radical committee proposed a Fourteenth Amendment to the Constitution which must be adopted by the Southern States before representatives were admitted to Congress.

The Fourteenth Amendment contained first a definition of citizenship. In contrast to the dictum of the Dred Scott decision, that Federal citizenship depended upon State citizenship, the Amendment declared that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State in which they reside." This wording had been especially designed by the committee, it was claimed later, to protect such "artificial persons" as corporations as well as Negroes. The Amendment provided that no State should abridge the privileges and immunities of United States citizens or deprive any person of life, liberty, or property without due process of law. States which deprived Negroes of the suffrage should suffer a proportionate reduction in their Congressional representation. Ex-Confederates who had once taken an oath to support the Constitution should not hold Federal office. Finally, the Amendment asserted the validity of the national debt and repudiated that of the South. Thus the radicals prepared to accomplish their two purposes of giving political rights to the Negroes and economic security to big business. The Amendment was passed by Congress on June 13 and sent to the States.

With the passage, a month later, of a new Freedmen's Bureau Bill, the radical program was completed. Before Congress adjourned, Tennessee representatives were admitted to their seats. Under pressure from Governor Brownlow, the Tennessee Legislature had ratified the Fourteenth Amendment. The Governor had invited carpetbaggers to Tennessee, had induced his legislature to disfranchise ex-Confederates, had resumed his ancient enmity to Andrew Johnson, and in other ways had shown his complete sympathy with the radical program. "Give my respects to the dead dog of the White House," telegraphed Brownlow to Congress as he sent tidings of the ratification. As a reward for such vituperative co-operation and as an example to the rest of the South, Congress readmitted Johnson's home State.

## 2. THE ELECTIONS OF 1866

With Johnson's State governments in operation in the South and the radical program fully formulated, the issues were clear for the impending Congressional elections. The radicals controlled the Republican machine in the Northern States, forcing Johnson to attempt to form a united party out of the heterogeneous elements of opposition. Copperheads, War Democrats, moderate Republicans, and the Southern leaders were opposed to the radical program but could be united only with difficulty. Whatever hopes Johnson may have had of forming a people's party to meet the radical class party disappeared before political necessity. The Johnsonians were forced to try to unite discordant elements of the old parties.

The first effort to form a party to support the President

was a call for a "National Union Convention" to meet in Philadelphia. With difficulty Ohio's Vallandigham was prevented from attending the convention, but Southerners came in numbers. The meeting opened with General Couch of Massachusetts and Governor Orr of South Carolina marching down the aisle together. Radical reporters immediately dubbed the meeting the "Arm in Arm Convention," while one editor was reminded of the entrance of the animals into the ark "two by two, of clean beasts, and of beasts that are not clean, and of fowls, and of everything that creepeth upon the earth." Resolutions declaring slavery at an end and asserting that Southern whites could be trusted were adopted.

The radicals met this move by calling a meeting of the "Loyal Unionists of the South" at Philadelphia. Parson Brownlow led the Southern delegates, whose number included many carpetbaggers and skalawags. The convention endorsed the radicals and condemned Johnson for selecting secessionists rather than loyalists for Southern offices. Two other conventions were held: the Johnsonians assembled a "Soldiers and Sailors Convention," in which both Confederates and Federals appeared, and the radicals countered with a similar meeting of Federals presided over by the violent Benjamin F. Butler.

Events played into the hands of the radicals. In April, a clash between Negro troops and police brought a race riot in Memphis in which 46 Negroes were killed and four Negro churches and 12 schoolhouses burned. In July there was a more serious riot in New Orleans which resulted in the death of 200 blacks and a dozen policemen. These incidents lent color to the radical claims that Negroes should be protected by the Federal Government. In September, the radical charges against Johnson re-

ceived apparent confirmation when the President, in a "swing around the circle," visited Chicago. Radicals heckled Johnson in his public appearances and tempted him again to vituperation. Their newspapers represented the President as drunk and incompetent to rule.

Against Johnson there were an organized party, a large portion of the press, the industrial interests, and most of the churches of the North. The President himself had no party, and in many regions his supporters were forced to choose between radicals and Democrats with bad war records. The result was an overwhelming defeat for Johnson. The next Congress would contain 42 Republicans and 11 Democrats in the Senate and 143 Republicans and 49 Democrats in the House. The radicals had a two-thirds majority with which to override any Presidential veto.

### 3. MILITARY GOVERNMENT FOR THE SOUTH

The elections of 1866 were a mandate to the radicals to reconstruct the South after the plan of Congress. "I was a conservative in the last session of this Congress," announced the sarcastic Stevens in high glee as Congress reassembled in December, 1866, "but I mean to be a radical henceforth." The other members were filled with the same spirit and prepared to force Negro suffrage on the Southern States. Within an hour after the Senate had reassembled, Sumner introduced a bill giving votes to Negroes in the District of Columbia. The people of the District had just defeated this proposal in a municipal election by 7,137 to 36, but Sumner ignored their action and explained to the Senate that "as you once needed the muskets of the colored men, so you now need their



votes." The bill passed, received Johnson's veto, and was immediately repassed over the veto on January 8, 1867. The suffrage was also extended to Negroes in the territories.

Negro suffrage was necessary to accomplish the full radical program. During the months since Congress adjourned, all of the Southern States had rejected the Fourteenth Amendment. The States had acted upon Johnson's advice and had been unwilling to disfranchise the ex-Confederates. The best showing for the Amendment was in North Carolina, where it received 10 of the 103 votes that were cast in the lower house of the legislature.

Since the States had refused to accept the Amendment, Congress prepared to reconstitute the governments and at the same time to deprive the President of power to check the radical course. On March 2, 1867, in the last minutes of the session, they enacted three measures to accomplish their ends.

The first of these acts provided for the military reconstruction of the South. Totally ignoring the existing governments, the act placed the ten States not represented in Congress in five military districts. Virginia constituted the first district; the Carolinas, the second; Georgia, Florida, and Alabama, the third; Mississippi and Arkansas, the fourth; and Louisiana and Texas, the fifth. Each district was placed under command of a brigadier or higher general, who was given complete power over all civil officials and who was to prepare the States under his command for readmission to the Union. In this process the military governor should provide for registering all citizens, white and black. Then a convention should be elected to adopt a new State constitution which must pro-

vide for Negro suffrage. This constitution would have to receive the approval of a majority of those registered and the further approval of Congress. Then, when a legislature elected under the new constitution should have ratified the Fourteenth Amendment, Representatives and Senators might be given seats if they could take the "iron-clad oath."

The other two measures were specifically designed to limit Johnson's power for mischief. The first was an amendment to the Army Appropriation Act, providing that all orders from Johnson should pass through the hands of the General of the Army. Sometime before, the radicals had created the rank of General, to which Grant had been appointed. This move had been taken to prevent Johnson from using the Army to support a *coup d'état*. Rumors had declared that the President planned to assemble his supporters and the representatives from the South and recognize this body as the lawful Congress. With Grant indebted to the radicals and secretly in their councils, he could prevent Johnson from ousting the radical Congress.

A second attempt to restrict the President was the Tenure of Office Act. Johnson had attempted to dismiss radical officeholders, and had avoided the necessity for obtaining Senatorial consent to his own appointees by making recess appointments. In order to protect radicals against dismissal, the Tenure of Office Act provided that the Senate must consent to the removal of an officer and that the President must report any removals within 20 days of the convening of the Senate. Cabinet officers were to hold office during the terms of the President who appointed them and for one month longer. This provision was inserted for the especial protection of Sec-

retary Stanton, who acted the part of radical spy in Johnson's Cabinet.

With the passage of these acts, the 39th Congress ended, but the radical fear that Johnson would use a recess to defeat their program caused them to pass a law assembling the 40th Congress. A few minutes after adjournment, the new Congress convened with radicals taking the places of a number of Democrats and moderate Republicans. Conspicuous among the new members were Benjamin F. Butler, who came to the House from Massachusetts, and Senators Simon Cameron, Roscoe Conkling, and O. P. Morton to add to the radical majority in the upper Chamber. The session lasted until March 30, devoting its time to discussion of a supplementary reconstruction act dealing with the manner of registering loyal voters and of holding elections in the South.

The administration of the reconstruction laws devolved upon President Johnson. Advised by his Attorney-General that the acts were constitutional, Johnson proceeded to appoint generals to command the five military districts. Stanton and Grant advised the President, and the generals selected were in sympathy with the acts they were to administer. Generals Schofield, Sickles, Pope, Ord, and Sheridan were chosen for the respective districts. Upon assuming their duties, the commanders found that the South was in good order. The Northern newspapers had continued to inflame the popular mind with "Southern outrages" after the campaigns of 1866, but the radical leaders were aware that the South was comparatively peaceful. The Civil Rights Act was in force, the Black Codes were inoperative, and the Freedmen's Bureau was caring for the Negroes. Military government was accordingly established with little friction.

The Southern States, however, made an effort to block the establishment of military rule. The Governor of Mississippi sued for an injunction to prevent Johnson from executing the laws, and the Governor of Georgia sought to enjoin Secretary of War Stanton. Johnson's Attorney-General appeared before the Supreme Court to argue that the Executive could not be sued; and the Court, to avoid becoming involved in a political quarrel, upheld his contention.

The peaceful condition which the generals found in the South did not last long. Eight days after he assumed command over the Fifth Military District, General Sheridan removed the mayor and the attorney-general of New Orleans for their parts in the "massacre" of the preceding summer. Soon after, he removed the Board of Levee Commissioners and the Governor of Louisiana. In Alabama, General Pope removed the mayor of Mobile, and in Virginia General Schofield excluded so many Confederates from the registration lists that even General Grant was moved to admiration. Before military rule was over, the generals had removed the Governors of Georgia, Louisiana, Virginia, Mississippi, and Texas and thousands of local officials whom they suspected of working against the reconstruction acts. In their places the generals appointed "loyal" men, carpetbaggers from the North, and Army officers. In the towns, the police force was reorganized and soldiers patrolled the streets. Military officials supervised the courts, instructed court officers how to select juries, suspended laws, annulled court decrees, and released prisoners. The military authorities made law through army orders, announced stay laws, abolished the color line, levied and collected taxes, and made appropriations which the State treasurers were obliged to pay.

Newspapers were suppressed, public meetings were licensed, the militia was dissolved, and parades were forbidden.

#### 4. RESTORATION OF THE SOUTHERN STATES

The first task before the major-generals in the South was the registration of the voting populace. Registrars were appointed from the loyal or "radical" groups in each political subdivision. These registrars enrolled the Negroes on the poll books during the day and at night converted the new voters to Republicanism. The Union League, working hand in hand with the Freedmen's Bureau, aided in the task of persuading the Negroes to cast Republican votes. Parallel with this registration of the blacks went the registrar's efforts to exclude Confederates from the voting lists. The war record of each white applicant was rigidly scrutinized and the "iron-clad oath" was rigidly applied. By such methods, 703,000 Negroes and 627,000 whites were enrolled.

In every State there was a radical majority composed of Negroes, skalawags, and carpetbaggers. The ex-Confederates and others who could not co-operate with the radicals formed "Conservative" parties but made little effort to contest the elections for the conventions. The result was that the well-organized radicals controlled all of the conventions. Louisiana and South Carolina had Negro majorities.

The constitutions which these "black and tan" conventions adopted were adaptations of those of the Northern States. The essential feature of the constitutions were clauses proscribing Confederates. Many of the features were beyond the needs of agricultural communities and

opened broad avenues for later graft and corruption. The conventions also issued ordinances legalizing Negro marriages, forbidding segregation of the races in schools, or controlling the militia. The conventions set a model of extravagance for later legislatures. The Florida convention issued \$50,000 in scrip, the Mississippi convention cost over \$250,000, and everywhere the members received exorbitant mileage allowances.

The conservatives who had been lethargic during the elections for the convention hastened to organize in the hope of defeating the ratification of these proscriptive constitutions. In Georgia, where Joseph E. Brown had led the convention, the constitution was less obnoxious than in other States, and the conservatives accepted it. In Alabama, the whites conceived the idea of staying away from the polls and preventing a majority of the registered voters approving the document. Congress, however, amended the Reconstruction Act to accept Alabama's ratification. Arkansas also failed to muster a favorable majority of the registered voters, but its action came after the amendment. Louisiana and South Carolina were so overwhelmed by Negroes that the white conservatives made but feeble efforts, while in North Carolina and Florida the radicals had safe majorities. In Mississippi the conservatives rallied sufficient strength to defeat the constitution. In Texas the convention had neglected to provide for an election, while in Virginia the military commander so thoroughly disapproved of the constitution that he refused to pay the expenses of an election.

At the same time that the voters accepted the new constitutions, they voted for State officers. Only in Georgia did the conservatives gain a foothold. The radicals, black and white, obtained seats in the legislatures

and took over the local offices. Carpetbaggers received 10 of the 14 Senate seats and furnished 20 of the South's 35 Representatives. Four of the seven newly elected governors were carpetbaggers. The Lieutenant-Governor of Louisiana, the Secretary of State of South Carolina, and many of the State legislators were Negroes. By early June, most of the new governments were installed and the legislatures ratified the Fourteenth Amendment.

In Congress the radicals smiled benign approval upon the fulfillment of their program. As a Presidential election was approaching, the votes of the South were needed for the success of the Republican ticket. Late in June, 1868, the seven States that had ratified their constitutions were restored. Senators and Representatives took their seats in the Congressional chambers and the major-generals gave up their places to the radical governors. Only Virginia, Mississippi, and Texas were still out of the Union.

## 5. IMPEACHMENT OF PRESIDENT JOHNSON

While the processes of reconstruction under radical auspices were under way in the South, the final scene in the dramatic struggle between President and Congress was enacted in Washington. From the beginning of the conflict, the radicals had talked of impeaching Johnson, and the Judiciary Committee of the House had worked all through the summer of 1867 seeking evidence of Presidential misdeeds. The search was fruitless until Johnson played into radical hands by dismissing Secretary Stanton.

The Secretary of War had long been a thorn in the side of the President and his supporters. As early as 1866 there had been little doubt in Johnson's mind that

Stanton was in full sympathy with the Congressional radicals. The "Arm in Arm Convention" had privately recommended Stanton's dismissal in 1866. But Johnson's worst fault was indecision; his aggressiveness was more vocal than actual, and he delayed until August, 1867. Then, after the disloyal Secretary had inflicted all possible damage on the administration, Johnson suspended him from office. In his place Johnson appointed General Grant to act as *ad interim* Secretary of War. The change was of no benefit to Johnson, as Grant had long since gone over to the radicals.

When Congress met, the President reported his action to the Senate. Desirous of protecting their ally and of embarrassing Johnson, the Senate refused to concur in the dismissal. Immediately Grant surrendered the office to Stanton and reported his action to the President. There ensued a bitter quarrel between general and President over this action. Johnson alleged that Grant had promised to return the office to him, and the lie passed between the two high-placed antagonists. While this vituperative altercation was in progress, Johnson summarily dismissed Stanton and ordered General Lorenzo Thomas to take over the office. But Stanton refused to vacate his rooms, asserting his rights under the Tenure of Office Act.

Without hesitation the House of Representatives voted to impeach the President for violating the Tenure of Office Act. Eleven articles of impeachment were drawn up and the case was presented to the Senate. There was little pretense on the part of the Senators that they were sitting on a court, and political considerations were uppermost in their minds. The President's counsel were given little time to prepare their case, and the rules of evidence



were adjusted to permit a vast amount of testimony that would not have been tolerated in a court of law.

Unfortunately for the radical cause, the partisanship displayed caused a public reaction in favor of the President. There was also widespread opposition to the idea of removing Johnson to make way for Senator Wade, next in the line of succession. Yet the radicals struggled valiantly to force a vote of guilty. Pressure was exerted on wavering Senators. There were 12 Democrats in the Senate. Should they be joined by seven moderate Republicans, impeachment would fail. When the test came, exactly seven moderates voted with the Democrats, and the radicals failed—by one vote—in their effort to remove their enemy.

## 6. THE ELECTION OF 1868

While the impeachment trial was going on, the Presidential campaign of 1868 was begun. Before the country were the issues of financial policy and the reconstruction of the South. Republicans favored the radical reconstruction program, sound money, payment of the national debt in coin, and high tariffs. Democrats were less concerned about the national debt and were flirting with the "Ohio idea" to pay off the war debt by an issue of greenbacks. Moreover, they endorsed the President's plans of reconstruction.

The Republican nominating convention wasted no time in placing General Grant before the country as their candidate. The war-wrecked Democrats, however, groped blindly for both a platform and a suitable nominee. In the end they adopted a platform favoring the "Ohio Idea" and nominated Horatio Seymour, a conservative New

Yorker who repudiated the financial planks of the platform.

The outcome of the campaign was more a victory for sound finance than a popular approval of radical reconstruction. General Grant carried 26 States to Seymour's 8. Yet Grant's white vote was smaller than Seymour's; and had it not been for 400,000 Negroes, the Republican candidate would have been defeated. Thus the Negroes rewarded the party which had brought them the suffrage and saved the day for the bondholders and the industrialists.

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## CHAPTER XXIV

### WHITE SUPREMACY

#### 1. THE LAGGARD STATES

THE election of 1868 fixed the radical Reconstruction policy upon the South at the same time that it assured the predominance of the Republican financial program for the Nation. Under Grant there would be no tampering with the currency and no legislation adverse to bankers, industrialists, and proponents of a high tariff. The South would not interfere with the radical control of the Federal Government, while, in the words of "Parson" Brownlow, "The election of Grant and Colfax means peace; it means that carpetbaggers are not to be molested . . . that capital, coming to us from abroad, whether of brains or hands, or money, is not to be spurned, proscribed, persecuted because it comes from north of a given line." Throughout the North there was a widespread expectation that the South would now become a suitable field for economic exploitation. Projects for building railroads, for developing mines, and for locating mills multiplied with the assurance that governmental policy would not be altered.

In order to hasten the completion of this field for Northern exploitation, Grant proposed to Congress that the State constitutions be submitted to the electorate in Virginia, Mississippi, and Texas without the obnoxious clauses disfranchising Confederates. Since the elections

were over, the necessity for these clauses was less pressing. Moreover, there was a growing impatience in the North to complete the work of Reconstruction. But Congress determined to impose an additional penance upon these laggard States. Whereas they provided that the disfranchising clauses might be voted upon separately, they imposed the additional requirement that these States should approve the Fifteenth Amendment. This amendment would guarantee all citizens the right to vote and would insure the continuance of Negro suffrage and Republican ascendancy.

As soon as Grant made his recommendation to Congress, Virginians prepared for elections. Two parties emerged in the State: the one representing the worst radical elements nominated H. H. Wells, who had been acting as civil governor, and the other, adopting the name "Conservative," nominated a native Unionist, Gilbert C. Walker, for Governor. Both parties set up claims to be Republican, and both appealed to the Washington leaders for recognition. As the Democrats were completely disorganized—although they supported Walker—and as the success of either faction would result in the completion of the Republican program, neither the President nor the party leaders interfered in the campaign. In the North it was generally believed that, as Horace Greeley put it, "Virginia, having had enough of Civil War and devastation, is about to subordinate political strife to industrial progress and material prosperity and thus advance to a future of power and wealth undreamed of in her past." The elections in July resulted in a Conservative victory with a majority of 20,000 for Walker. The Negro vote was split between the factions. In October, the Conservative legislature ratified the Fourteenth

and Fifteenth Amendments, and on January 27, 1870, her Senators and Representatives having been seated, Virginia passed out of military rule.

Despite the success of the Republican program, the radical leaders took alarm at the Conservative victory in Virginia. Grant's Secretary of the Treasury, George S. Boutwell, a Massachusetts radical, advised against accepting the Virginia results and set himself to prevent a recurrence of such a misfortune in Mississippi. Here the people, objecting to the disfranchising clauses, had succeeded in defeating the radical constitution and had remained under military rule. Grant set November 30 as the date for the Mississippi election. Encouraged by the Virginia result, the Conservatives of Mississippi hit upon a visionary scheme to obtain President Grant's support by nominating his brother-in-law, Lewis Dent, for Governor. The radicals nominated J. L. Alcorn, a native of Illinois who had been a Mississippi secessionist in 1861. Upon Boutwell's urging, Grant publicly repudiated Dent and threw his support to Alcorn. The election resulted in the adoption of the constitution and the defeat of Dent. The legislature approved the Fourteenth and Fifteenth Amendments, and in February Mississippi Congressmen were admitted. The two Senators who came to represent the State were General Adelbert Ames of Massachusetts, who had been the military governor, and Hiram Revels, a Negro from Indiana.

In Texas the radicals nominated E. J. Davis while the Conservatives ran Andrew J. Hamilton. As in the other States, both factions asked for administration support, but the radical leaders in Washington prevailed upon Grant to remove Federal office-holders who supported Hamilton.

The radical legislature ratified the amendments, and the State was readmitted to the Union.

The radical fear of losing out in these last States was partly based upon their experience in Georgia. The 1867 election in Georgia had resulted in the choice of Rufus B. Bullock for Governor and a legislature with a majority of native whites. After approving the Fourteenth Amendment, this body decided that the new constitution, although it gave Negroes the suffrage, did not confer the right to hold office. Accordingly, the white members expelled their colored colleagues. When the electoral vote was counted, Ben Butler proposed that the State's vote should not be counted. The election result was announced without Georgia's ballots, and the radicals set themselves to punish the too-clever legislature. Georgia was remanded to military rule until the Negro legislators were restored and the Fifteenth Amendment ratified. On July 15, 1870, the State was held to have made sufficient amends to be restored to representation.

## 2. SOUTHERN SOCIETY

While the governments of the Southern States were being recast on a radical model, profound changes were under way in Southern society. In agriculture, in industry, and in the churches, the Southern people made adjustments to new conditions.

Most far-reaching was the changed order in which the former slave found himself. The plantation system and slavery had taken care of the Negro of the old South, but these institutions were destroyed. In their place, the black laborer found the Freedmen's Bureau and a

number of organizations designed to facilitate his assumption of the duties of citizenship. The Freedmen's Bureau ended in each State as the governments were released from military tutelage. Before it disappeared, however, it had made valiant efforts to rehabilitate the Negro.

The Bureau had made an effort to encourage the Negroes to work the land. The abandoned and confiscated property held by the Bureau was first parcelled out among the freedmen; but, as Johnson's pardons were held to include a restoration of sequestered property, the amount of land in the hands of the Bureau steadily diminished. In the end, the Bureau held lands which were worth nothing to their former owners and could not be used to give to the Negroes. As this policy was doomed to failure, the Bureau encouraged the Negroes to make contracts as agricultural tenants. As the planters were without money, a system of planting crops on shares grew up. The planter advanced credit at a store to carry the tenant through the year until the crop was marketed. Before the end of Reconstruction, many planters had become merchants as well as planters and were beginning to make their profits from extortionate mark-ups in the stores. Negro and poor white tenants tended constantly to fall deeper in debt to the planter-merchant.

In addition to taking care of the freedmen in agriculture, the Freedmen's Bureau made efforts to encourage Negro education. A commissioner of the Bureau was authorized by the Freedmen's Bureau Act to lease school buildings when teachers were furnished by other organizations. The Bureau expended over \$500,000 in co-operation with the American Missionary Association and the American Freedmen's Union Association. These so-



cieties sent a number of teachers into the South. Negro normal schools were established to train teachers. Hampton Institute, Fisk University, Berea College, and Howard University came into existence in order to furnish native leaders for the Negro race.

The whites of the South greatly resented the efforts of the Bureau and of Northern humanitarians to aid the Negro. Doubtless the excessive zeal of some of the missionary teachers and the Bureau agents gave ample justification for the Southern attitude. Such irritants came closer to the average Southerner than did the corruption which characterized the State governments. The reaction of the people was to ostracize the Northerner who arrived in a community. The long pre-war tradition of suspecting "Yankees" was reconfirmed by the obnoxious conduct of some of the missionaries, and the better Southern families excluded Northerners from their social circles. Perhaps no single factor was more effective in stirring up the resentment of the Northerners. Many of the carpet-baggers—who were mostly young men—wrote indignant letters to their Northern Congressmen urging more drastic legislation for the South. The Southern suspicion of the Northerners remained as a permanent characteristic of a traditionally hospitable and gregarious people.

As the Negro was making progress under the guidance of his new-found friends, the white man of the South was faced with the necessity of reconstructing his whole economic and social system. Both religion and education felt changes as a result of the changed order. To the churches the war brought devastation. During the conflict, church buildings were used by the Federal armies, and at the end Secretary Stanton turned the confiscated property over to Northern churches, who placed army

chaplains or Unionist ministers in the pulpits. Northern churches expected a reunion with their Southern branches and expected that the union would give control to the North. Only the Episcopal Church returned to the fold. Southern Methodists, Presbyterians, and Baptists retained their separate organization. Northern Methodist bishops, especially Bishop Simpson, were anxious to extend their ecclesiastical jurisdiction. In east Tennessee and in Florida the Northern Methodists managed to establish and maintain conferences among the Unionists and Northern migrants, but their success was limited. The Methodist Episcopal Church, South, on the other hand, added a number of conferences from the Border States.

The Northern churchmen had somewhat greater success in attracting Negro communicants. Methodist bishops succeeded in separating the Negroes from the churches of their former masters. The Methodist Episcopal Church established a number of Negro congregations. The Negroes preferred, however, an organization of their own even though the Methodist General Conference permitted the ordination of Negro bishops. The Methodist Episcopal Church, Zion, and the African Methodist Church gained most of the Negro Methodists. In order to save what they could from the wreckage, the Southern Methodists sponsored the organization of the Colored Methodist Episcopal Church. Among the Baptists, separate congregations and associations were organized by the Southern whites.

As in the churches, Northern educators considered the Southern schools a fair field for missionary work. The opposition of the Southern aristocrats to free schools had been emphasized in Northern war propaganda until it

seemed a part of the victor's task to force public education upon the conquered section. Public schools in the South had been rudimentary before the war and free education bore the taint of pauperism. The war had destroyed the colleges and killed or disabled the teachers. The colleges, most of them under denominational control, were opened to students by 1866-67, and young men from the armies came in their poverty to the halls of learning. Trustees were burdened with the cares of administering institutions which had no money. General Lee's pay as president of Washington College was \$1,500 a year and was often in arrears.

The Reconstruction constitutions set up elaborate school systems, and the radical legislatures made appropriations for the support of schools. Mixed schools were the exception, as neither whites nor blacks desired them. State superintendents were radicals, and the appropriations made for schools were frequently dissipated in corruption. Several States established State universities under radical auspices. Most of the school systems were too complicated for rural communities and met financial failure after the whites regained supremacy. Nevertheless, the educational systems of the South remained as the most socially desirable contribution of the radical State governments.

### 3. CARPETBAG GOVERNMENT

The governments which came into being under the radical constitutions were composed largely of carpetbaggers and Negroes. The native white Unionists whom the Johnsonian program would have placed in control of the Southern States were gradually alienated by the

excesses of the radicals. These men were forced into co-operation with the Democratic or the Conservative party. Carpetbag mismanagement and the radical program eventually resulted in the restoration of the Bourbon aristocracy against which the Civil War had been fought. Carpetbaggers seized upon the most desirable political plums in the States, leaving lesser offices to the Negroes and giving little to the scalawags. In all the South, there were 12 carpetbag and 8 scalawag governors, and in the Congressional delegations men of Northern birth outnumbered those who represented the Southern loyalists. Negroes composed the majorities of several legislatures and held the balance of power in others.

The period between the adoption of the radical constitutions and the "redemption" of the States was characterized by gross corruption. In the Nation there was not a State which escaped misgovernment in this period. The municipal governments of New York, Philadelphia, Washington, and hundreds of smaller communities were controlled by plundering "rings" and dominated by "bosses" whose moral fiber was rotten. The National Government itself was torn with scandals which ranged from a petty "salary grab" by Congressmen to enormous plunderings of the internal revenues by a far-flung "Whiskey Ring." Both parties were involved in these public plunderings; and if most were laid at the door of the Republicans, it was largely because the members of that party were placed in positions where graft was possible. The situation which existed in the South was but one manifestation of a laxity in public morals which characterized the first days of the dominance of the Masters of Capital.

In the Nation the period was one of great interest in

railroad construction and even greater interest in railroad financing. In the South, where war had brought destruction, there was a great need for railroads. The constant urging of Northern financial groups and of those who wished opportunity for investment in the South led to lavish grants to Southern railroad projects. Railroad financing and legislative expenditures constituted the two main sources of corruption in the South. Many of the carpetbaggers were venal, while the Negroes who followed them were mostly ignorant and fell readily into schemes which brought them money, honors, and power. There had been nothing in slavery to prepare the Negro for the moral responsibilities of lawmakers.

The States with the smallest proportion of Negro population and legislators were the first to obtain relief from radical misrule. Virginia escaped with little misgovernment, while North Carolina had only a taste of the misfortunes which overtook her sister States. The first radical legislature of North Carolina had 38 Republicans and 12 Democrats in the Senate, and the Republicans outnumbered their opponents by two to one in the House. Railroads from Wilmington to the interior were badly needed, and the legislature adopted the plan of endorsing bonds for the benefit of new lines. Largely through reckless railroad financing, the debt of the State was increased from \$16,000,000 to \$40,000,000. The total assessed property in the State was \$120,000,000, which was forced to bear a tax of over \$1,000,000. The money was spent on the bribery of legislators. Yet there were few miles of railroad constructed in the State.

In 1870, a revolt of the Conservatives succeeded in their getting control of the legislature despite the efforts of the radicals to use the Negro militia to control the elec-

tion. The Democrats proceeded immediately to impeach Governor Holden for his use of the militia. Holden was found guilty, was replaced, and the State was "redeemed" for the Democrats.

South Carolina, with its large Negro population, had a history of corruption much longer than that of its Northern neighbor. The radical Senate in 1868 numbered 10 Negroes and 14 white Republicans and 7 Democrats. The House had a Negro majority. The Governor, R. K. Scott, was a native of Ohio, and the Speaker of the House, F. J. Moses, was a native white of notoriously low character. In 1872 Moses succeeded Scott in the Governor's chair.

The radicals maintained themselves in South Carolina by use of the Negro militia. Fourteen regiments of militia terrorized the wavering blacks and prevented whites from voting. In one electoral campaign, the militia cost the State \$374,000. Frauds characterized the elections. Once in control, the radicals spent lavishly to build railroads. The State owned stock in the Columbia and Greenville Railroad which was lost through the mismanagement of the radical manager. The Blue Ridge Railroad had \$2,000,000 of its scrip endorsed by the State and receivable for taxes.

Extensive graft occurred in connection with the furnishing of the State House. Elaborate furnishings replaced—at exorbitant cost—the simple fixtures of a former day. Clocks costing \$480, chandeliers costing \$650, cuspidors at \$8, and a mirror costing \$750 were brought in. Members of the legislature whose rooms were used for committee rooms came into the possession of Brussels carpets, mirrors, and furniture. Even such

things as women's lingerie and a metal casket, to say nothing of wines, groceries, and cigars, appeared as items of legislative expense.

Bribery developed into a high art in this Negro and carpetbagger government. Favors were procured from the legislature by bribery, and a Congressman sold a West Point appointment. A census was taken in 1869 which cost \$75,000, although a Federal Census costing \$40,000 was taken the following year. The legislature reimbursed Speaker Moses for \$1,000 which he lost in a horse race. A grandiose scheme for purchasing land for distribution to the Negroes resulted in the expenditure of almost \$800,000, of which \$225,000 was graft for the commission. In the end, the State came into possession of thousands of acres of worn-out and infertile land. The bonds of the State sank so low that \$4 in bonds brought \$1.20 on the New York market. Under the radical regime, the State debt increased from less than \$6,000,000 to more than \$25,000,000. The average legislative expense was \$320,000 a season.

The story of the radical regime in Georgia is similar to that in South Carolina. The legislature provided for an extensive railroad system and endorsed the bonds for over 30 railroads at a rate of from \$12,000 to \$15,000 a mile. Most of the roads speedily went into bankruptcy, leaving the State debt increased by over \$6,000,000. The State tax rate increased to two-fifths of one per cent and the State debt to over \$11,000,000. The manager of the State-owned railroad explained that he was able to save \$30,000 out of his annual salary of \$2,000 or \$3,000 "by the exercise of the most rigid economy." The road which had brought \$25,000 a month into the treasury was soon

running at a deficit. Schools, too, were subject to excessive graft, and in 1870 the legislature took the school fund of \$268,000 and the teachers were not paid.

Alabama was also a fertile field for railroad promoters. The legislature authorized the governor to endorse first mortgage bonds at the rate of \$16,000 a mile upon the completion of each five-mile section. The governor made no effort to check up on the completion of the roads and issued bonds upon the certification of railroad officials who swore that sections were completed which had not been built.

Florida, too, had a railroad problem. The State enacted an internal improvement law administered by a board which was subservient to the railroad speculators. The legislature was largely composed of Negroes who received sealed envelopes each containing \$1,000 for their votes.

Mississippi's constitution forbade State aid to railroads, and so the State escaped some of the worst excesses of radical rule. However, there was an extensive scandal in connection with improving the navigability of the rivers. The cost of State printing increased from \$8,000 a year before the war to \$70,000. One year it reached \$128,000. Whereas these increases in costs did not saddle the State with a large debt, the tax rate went as high as 14 mills on the dollar. Local governments were more graft-laden than the State government.

In Arkansas and Texas, the story of the other States was repeated with little variation. The public debt increased in Arkansas through grants to railroads, although Powell Clayton was among the better class of carpet-baggers. In Texas, the radical government found the



State without debt and left it with one of \$4,000,000, while the tax rate rose from 15 to 50 cents on \$100.

By far the worst governed State, with the possible exception of South Carolina, was Louisiana. In 1868 Henry C. Warmoth, a carpetbagger with a poor war record, was elected Governor. Warmoth refrained from making claims of personal honesty but declared that he was not more dishonest than anyone else in politics. His eight years of public service netted him a fortune. Warmoth headed the radical party in the State, controlling elections through the appointment of a returning board which canvassed the returns. The municipal police and local constabulary were under the governor's control and were paid by the parishes.

The Louisiana Levee Company was established in 1870 and granted aid by the State. Railroads were aided by a legislative grant. Under Warmoth's railroad financing, the State debt increased from \$6,000,000 to nearly \$50,000,000, amounting to 23 per cent of the total assessed value of property in the State.

State politics were in as bad a condition as finances. The collector of the port of New Orleans was James F. Casey, a brother-in-law of President Grant; the surveyor of the port was General Longstreet, turned radical. Between the "Customs House Gang," headed by Casey and S. B. Packard, the Federal Marshal, and Warmoth, a feud broke out over the control of the State. Casey interpreted his position as that of official representative of the radicals and attempted to control Louisiana politics for the benefit of the administration. Warmoth objected, with the result that each faction organized a legislature and appealed to Washington. Grant supported Casey,

and Warmoth joined the Liberal Republicans in 1872. For four more years the State was under radical control and was the last State to be "redeemed" from Negro and carpetbagger misrule.

#### 4. THE WHITE MAN'S REVOLT

While this riot of Negro and carpetbagger corruption was under way, the Southern whites were excluded from the polls and from holding office. Negroes and radicals controlled the ballot box, and the governors had command of a black militia which obeyed their orders. Through the militia, the Negro vote was purchased and coerced into support of the radicals. Frauds completed the work of insuring the dominance of the carpetbaggers. Yet even when the radical star was in the ascendant, there were maturing signs of revolt which portended the eventual dissolution of the scandalous system.

A large factor in the disintegration of the radical regime was the growing dissatisfaction of the Negroes with their new-found guardians. Although a fortunate few secured election to the legislature or to local offices, it was the carpetbaggers and the less worthy scalawags who took for themselves the better positions. Gradually, as the Negroes became more accustomed to exercising political rights, they began to question the proportionate division of the spoils. For the most part, the Negroes were inarticulate and leaderless, but their secret discontent caused them to take sides in the factional quarrels among Republicans. The masses of the Negroes, rapidly being forced to become sharecroppers, compared their return to virtual slavery with the roseate dreams which the carpetbaggers had promised to fulfill. The result was a loss of

interest among the colored voters which made possible the Bourbon reaction.

At the same time that the Negroes were becoming lukewarm, the better elements of the native white loyalists were repelled by the rising tide of corruption. This element had been persuaded to remain quiet by the old proslavery argument and by the belief that the Negro was inferior to the white man. They had supported slavery and acquiesced in planter rule until the politicians of the aristocrats had precipitated secession. During the war they had furnished the bulk of the deserters when they were forced into the Confederate Army and had supported the peace societies and the revolt of the small farmer against the Confederacy. The Johnsonian program had promised to surrender the South to these small farmers, but the radical program had been based upon the votes of their ancient enemies, the Negroes. As with the Negroes, these loyalists found that the carpetbaggers held the offices and enriched themselves from the public treasury. Moreover, the rising tax rate affected small property-holders as well as great ones. The result was that these people accepted once again the old leadership, not through a love of the aristocrats, but through a revival of an ancient enmity.

The greatest factor, however, in the downfall of the radicals was the acquisition by the Conservatives of the techniques of revolution. The old planting aristocracy had feared Negro rule because it was ignorant and would have preferred military government. The excesses of the radicals drove them to the point of desperation. The rising tax rate caused them to hold taxpayers' conventions to protest against expenditures, but the black taxmakers in the legislatures were not property-holders and had no

sympathy with the plight of their former masters. In the beginning, the old leaders had hoped to control the Negro vote; but the Freedmen's Bureau and the Union League had defeated their dreams. In desperation, the planters turned to extra-legal means to secure a redemption of their States.

The agency which came to their hands was the Ku Klux Klan. Originally the Klan was formed in Pulaski, Tennessee, by a group of young men for their own amusement. Dressed in ghostly costumes, they frightened the superstitious Negroes of the community by appearing as the spirits of dead Confederates. As soon as the effects of this procedure were seen, the movement gained headway and men joined to obtain political and economic ends. The order spread until the entire South was included in the "Empire" presided over by General N. B. Forrest as "Grand Wizard." Each State was a "Realm," counties were "Provinces," Senatorial districts "Dominions," and the communities formed "Dens" of this mystic society whose officers were denominated Grand Dragons, Grand Titans, Grand Giants, Grand Cyclops, and Hydras, Furies, Goblins, Genii, and Nighthawks.

The Ku Klux Klan was only the better known of a number of such organizations. Knights of the White Camellia, the White League, the White Line, the Pale Faces, and the Order of the White Rose were but a few of the names under which the disfranchised and overtaxed sought to regain control. Their methods were similar. In the beginning they relied on the credulity of the Negroes to frighten them into subjection. When the Negroes penetrated the disguise, the Klan resorted to violence to gain their ends. Tarring and feathering, beatings, and even murder of obstreperous Negroes, unpopular scalawags, and offensive

carpetbaggers became the rule. The Klan rode at midnight, visiting their wrath upon their hapless victims. At election time, the activities of the Klan increased, and as a result of early success the hooded men took courage and appeared more frequently. The terrorized Negroes were unable to identify their assailants, and the secrecy of their movements rendered official action impotent.

In desperation, the radicals in Congress passed Enforcement Acts to preserve their party in the South. In May, 1870, the first act was passed, ostensibly to carry out the provisions of the Fifteenth Amendment. The act made it a Federal offense to wear masks on a public highway for purposes of intimidating any citizen from exercising the suffrage. The President was authorized to use the militia or the army to enforce any judicial process issued in pursuance of the act. The next year, a supplemental act was passed, but even this was found to be insufficient. In March, 1871, Grant called the attention of Congress to the difficult situation, and the Ku Klux Act was the result. The President was given power to intervene with military force in any locality, to declare martial law, and to suspend the writ of *habeas corpus*. President Grant used his power under this law only once. In October, 1871, he declared martial law in nine South Carolina counties. The Federal marshals, however, made thousands of arrests.

After the passage of these laws, the Ku Klux movement declined, although not as a result of the legislation. The reason lay deeper in the social structure of the South. The Ku Klux Klan had its greatest strength in the nonslaveholding regions. The mountains of North Carolina, the upcountries of South Carolina and Georgia, rather than the black belts, were the centers of the movement. As the Klansmen drew into their ranks the more violent elements

of the community, moderate men withdrew. The leaders of the South who had originally supported the Klan denounced its excesses. In 1869, General Forrest ordered its dissolution, and its formal career ended. The depredations of masked men went on, however, giving the poorer whites renewed opportunity to wreak their vengeance upon their Negro neighbors. The Klan and the Union League together did much to drive a wedge between the lower classes of the whites and the Negroes. The division served once again to enable the old Southern leaders to regain control. The Klan made possible the revival of the old battle-cry of white supremacy which had been the mainstay of the planter aristocracy.

Partly as a result of the Ku Klux Klan and partly as a result of factional quarrels among the Republicans, the Conservatives won back their States. After the impeachment of Governor Holden, North Carolina remained in the "redeemed" column. In 1870 South Carolina Conservatives joined with discontented Republicans under the banner of reform. In 1872, two Republican factions struggled for control, and Moses became Governor. Two years later, Democrats and reforming Republicans were barely defeated, but the victorious Governor, D. H. Chamberlain, set about to reform his party. By 1876 Chamberlain was ready to lead a reform movement, but the Democratic strength had increased to the point where the Republicans were maintained only by election frauds and Federal troops. In 1871 Georgia Democrats won the State elections and impeached Governor Rufus Bullock. Upon Bullock's resignation, a special election placed a Democrat in the Governor's chair. The Democrats of Alabama gained control of the legislature in 1872, and although a Republican governor called and recognized a radical legis-

lature, the administration refused to intervene, and the State passed into the Democratic ranks. Mississippi came to the verge of civil war before the whites regained control. In Vicksburg white and black troops faced each other, and Grant sent General Sheridan to assume control. Sheridan called the leaders "banditti" in a dispatch to Grant—a particularly unfortunate remark because it inspired such a revulsion of feeling in the North that the administration could not support the radicals. In Arkansas, a factional quarrel known as the "Brooks-Baxter War" brought Democratic control in 1874, and a changed constitution insured a continuance of white supremacy. Texas went Democratic in 1874. By 1876 only South Carolina, Louisiana and Florida were under the control of the Republicans.

## 5. THE NORTHERN REACTION

The restoration of white supremacy in the Southern States would not have been possible without a reaction in Northern sentiment. The radical politicians were interested in Reconstruction in order to control the black men's vote and thereby assure Republican majorities in Congress. The Northern people, on the other hand, had only a humanitarian interest in the Negro and regarded the South primarily as a field for economic exploitation. As the full picture of Southern conditions was unfolded, the people began to perceive the fundamental conflict between economic and political control of the conquered region. Horace Greeley and other Northern publicists promised that the radical regimes would make possible Southern industrial development. After the election of 1868, Greeley urged Northerners to plant colonies in the South and make

investments in Southern mines. To make possible this infiltration, Greeley advocated "universal amnesty" for the Southern leaders.

Yet the Southern States offered few inducements to migrating men and money. Competition with the free lands of the West and the continuance of disorders in the South prevented the expected development. Recognizing the evils which the radical policy had brought upon the South, moderate Republicans urged moderation and amnesty as a means of bringing the Southerners to accept a real economic Reconstruction. Moderates pointed out that "capital and intelligence must lead" and advocated abandoning the Negroes and making an appeal to the "thinking and influential native Southerners"—the "intelligent, well-to-do, and controlling class." Horace Greeley soon championed this attitude in the *New York Tribune* and sent correspondents into the South who sent back reports of the high taxes and the corruption attending carpetbag rule. As the *Tribune's* correspondents described the melee in the South Carolina Legislature, the moderates began to perceive the reasons for the Ku Klux Klan. In May, 1871 Greeley travelled through the South advocating the encouragement of industry and returned home to tell Northerners that the South was suffering from "decayed aristocracy and imported rascality." Both the Klan and the carpetbaggers should be removed.

The issue of the carpetbaggers appeared in the Presidential campaign of 1872. In his four years in the White House, President Grant had antagonized many elements in the North. Assuming the office without previous political experience, Grant had a naïve concept of his position. He considered the Presidency a proper reward for his military services. His constitutional concepts were but ele-



mentary. "The will of the people," said Grant before his election, "is the supreme law of the land." In accepting the Republican nomination, he had declared, with a pointed reference to Andrew Johnson, that he would have "no policy to enforce against the will of the people." In Grant's mind the President should interpret the wishes of Congress as the expression of the popular will. Such views soon made the President subservient to the radical majority. He supported the carpetbag governments of the South at the insistence of the Congressional radicals. In 1870, the President, forgetting the principles which would make him subservient, wholeheartedly adopted an ill-advised scheme for the annexation of Santo Domingo. When Charles Sumner, Carl Schurz, and other leaders defeated a treaty of annexation, Grant declared war upon these Senators, removed their patronage, and threw the full strength of the administration against them in their home States. As the election of 1872 approached, these dispossessed politicians combined with other opponents of the radical program—revenue reformers, free traders, and currency reformers—in a schismatic movement. Adopting the name "Liberal Republicans," this strange assortment of practical politicians and idealistic reformers held a national convention in Cincinnati where the confused delegates nominated Horace Greeley for President. The platform advocated universal amnesty and universal suffrage for the South and condemned the radicals. In desperation, the Democratic party endorsed the Liberal Republican platform and candidates. The Republicans renominated Grant.

Although the campaign was fought largely upon financial issues, Grant's victory in November was considered by the radicals as a popular endorsement of their Southern

program. The campaign, however, served to advertise the carpetbaggers of the South. Moderates, Liberals, and Democrats continued to deplore Southern conditions until the Northern business man was persuaded that only a restoration of native white government would bring the peace necessary for economic penetration into the South. After the election, controversies between opposing factions in Arkansas and Louisiana gave renewed proof that the radical policy was the cause of costly disorder. Moreover, it became evident that, as the Negroes were becoming restive under the carpetbagger's rule, there was a danger of a union of the blacks and the lower-class whites. One observer suggested that if the 6,000 illiterate adult males of Georgia were added to the Negroes, "so vast a mass of ignorance would be found that, if combined for any political purpose, it would sweep away all opposition the intelligent class might make. Many thoughtful men are apprehensive that the ignorant voters will, in the future, form a party by themselves as dangerous to the interests of society as the communists of France."

At the same time that the Northern people were coming to condemn the misgovernment in the South, a series of scandals in the National Government brought a realization that the radical program for the Nation was leading to corruption. In rapid succession after the elections of 1872, the *Crédit Mobilier* scandal, the "Salary Grab" Act, the Shepherd Ring in Washington City, the collapse of Jay Cooke and Company, and the panic of 1873 passed before the eyes of the Nation. Disgusted with the widespread corruption and overspeculation, the voters in 1874 elected a Democratic Congress. The incoming Democrats uprooted more scandals for political purpose, finding the Sanborn Contracts and the far-flung Whiskey Ring to

present to the voters. By 1876 the country was ready to repudiate the radicals. The Republican convention made a bid for the return of the "Liberal Republicans" by nominating Rutherford B. Hayes, who had the respect of the party's reformers. The Democrats nominated Samuel J. Tilden, who had gained a reputation as a reformer by his fight against New York City's infamous Tweed Ring.

With the country already committed to a repudiation of the radicals, Tilden polled an overwhelming majority of the popular vote. But the carpetbag governments of three Southern States enabled the Republicans to wrest the Presidency from the Democrats. On the night of the election, the Republican National Committee learned that the Democrats had not received the returns from Louisiana, Florida, and South Carolina. The Republicans had been willing to concede these States without a thought; but a hasty calculation showed that if the States were for Hayes, he would have 185 electoral votes to 184 for Tilden. Quickly the Republicans wired the Southern leaders to "hold" their States, and the Republican National Committee brazenly claimed the election. Republican "visiting statesmen" hurried to the South bearing promises of preferment if Hayes were elected.

South Carolina's large Negro majority had undoubtedly carried that State for Hayes, but Louisiana was not so certain. Should even one electoral vote go to Tilden, he would be elected. The visiting Republican leaders supported the radical members of Louisiana's returning board in throwing out returns from the parishes until they had transformed a Tilden majority of almost 9,000 into a Hayes majority of over 3,000. Comparable methods in Florida turned a Democratic majority of 100 into a Republican victory of almost 100 votes.

The Democrats of the ravished States had no intention of permitting these frauds to go unchallenged. Amid threats of marching on Washington to inaugurate Tilden, Democratic legislatures prepared to give certificates of election to Democratic electors. When Congress assembled in December, 1876, there were two sets of electoral votes from Florida, Louisiana, and South Carolina. By agreement of the party leaders, these disputed votes were referred to an electoral commission of five Senators, five Representatives, and five Justices of the Supreme Court. The political complexion of this commission was eight Republicans and seven Democrats. Voting strictly on party lines, the commission rejected the Tilden and accepted the Hayes votes. In each case the vote was eight to seven. As a result, Hayes received 185 votes and the Presidency, to 184 votes for Tilden. On March 5, 1877, the Republican victor was inaugurated.

Meantime, in South Carolina and Louisiana, the Republican governors who had been counted in along with Hayes had been installed. In both States, the Democrats prepared to contest the inauguration by force of arms. But the governors appealed to Grant, who sent Federal troops to their aid. Only through these troops were the governors retained. In this situation the Southern leaders sought for an adjustment with the Republicans. Tilden's temporizing conduct during the electoral count had alienated many of his supporters, and there was less inclination to inaugurate him by force. On February 26, a number of Southern leaders, including Senator John B. Gordon of Georgia, L. Q. C. Lamar, and Henry Watterson, met some of Hayes' personal friends at Wormley's hotel in Washington. The Republicans promised that, in return

for Democratic acquiescence in his inauguration, President Hayes would withdraw the troops from the South.

On that day Reconstruction ended. The Republicans deserted the Negro to the Southern ruling class and abandoned whatever idealism had originally gone into the radical program. Henceforth, the South would be once again in the hands of the Bourbons; the Negro and the poor white would return to their economic and social, if not legal, status of ante-bellum days. On April 10, the Federal troops left Columbia, and Governor Chamberlain followed them out of the city. On April 24, New Orleans was freed from troops, and Hayes' bargain was fulfilled. The Masters of Capital were secure in the National Government. The Lords of the Manor were in full sway over the South. The sectional controversy had ended in compromise and mutual political understanding. The old South had ended: a new South had already appeared on the horizon.

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## CHAPTER XXV

### ECONOMIC DEVELOPMENT OF THE NEW SOUTH

#### 1. TWO TRADITIONS

THE South which was returned to the native whites when President Hayes withdrew the Federal troops was unable to return to the past that it had known before the war. In half a generation, war and Reconstruction had decimated the population, destroyed the greatest single type of property, and wrought a tremendous social upheaval. As he regained control of his State governments, the Southerner faced two possible alternatives: he might attempt to recreate the social, economic, and political structure of the old South, or he might imitate the Northern people in an effort to bring the South abreast of the national current. Nostalgia beckoned him to return to the old way of life; the "Yankee" virus of ambition and progress pointed the way to create a "New South."

The new South which grew up out of the wreckage was no more unified than the old South had been. In the old South the plantation system had dominated the social scene, but there had been many dissenters from the established model. Regions of small farmers and sections with industrial dreams had been restive under the regime of the planter aristocracy and had come to the point of rebellion during the Confederacy. In the first days of Reconstruction, these sections had gloried in their relief from their

ancient subservience and had prepared for industrialization. Although these regions had become as bitter as any in their reactions against Negro and carpetbagger rule, they were unwilling to return to their earlier subjection to the planting sections.

In general, the reactions of two of the South's leaders may be taken as symbols of the conflict of ideals in the South. In the years after Appomattox, Robert E. Lee and Jefferson Davis expressed the different modes of action. In both cases their reactions involved a strange paradox. Jefferson Davis had been a Southern nationalist; while Robert E. Lee, sorrowfully drawing his sword at the call of his native State, typified the extreme States' rights position. Davis had risen to the cotton aristocracy of the Southwest; Lee was born to the manor. In the Pierce administration Davis had desired railroads and commercial development for the South while Lee contented himself in the comparatively poorly paid profession of arms. Yet after the war, Jefferson Davis devoted himself to deploring the "lost cause"; while Lee, with never a backward glance, gave his efforts to building a new society. As a vigorous and verbose defender of the old South, Davis made speeches excoriating the North, wrote histories of the Confederacy, and endeared himself to all those whose sense of defeat had driven them into romantic rationalizations. As president of Washington College, Lee attempted to train the South's youth to assume new problems. Eschewing the classical curriculum, President Lee established courses in journalism, revived engineering, and sought to impart a vocational and practical education. Even before the end of the war, Jefferson Davis's mind had crystallized. But Lee's military failure revealed new facets of the defeated hero's mind and character.



In the Davis tradition, professional Southerners, romantic writers, and nostalgic veterans have conjured up mental pictures of manor houses, of banjo-strumming Negroes, and of goateed squires of undreamed virtues who sipped mint juleps in an aura of lavender and old lace. Translated into practical terms, the Davis tradition has been responsible for the effort to "keep the niggers in their place" and to recreate the society of the old aristocracy. Confederate veterans organized in localities and eventually formed the United Confederate Veterans. When death depleted the ranks of the Gray host, the United Daughters of the Confederacy, formed in 1894, took up the defeatist cause and vigorously defended the social system of the old South. A host of writers from Thomas Nelson Page to Thomas Dixon and Stark Young have engaged in romantic rhapsodies on the theme of bygone glories.

Following in the pathway which Lee began, but going far beyond any point which the General envisioned, the proponents of a "New South" abandoned the ideals of a rural society and stepped boldly forward toward industrialization. In the eighties, Henry W. Grady, editor of an Atlanta paper, gained fame as the prophet of the New South. "We have let economy take root and spread among us as rank as the crab grass which sprung from Sherman's cavalry camps, until we are ready to lay odds on the Georgia Yankee, as he manufactures relics of the battlefield in a one-story shanty and squeezes pure olive oil out of his cotton seed, against any downeaster that ever swapped nutmegs for flannel sausages in the Valley of Vermont." Grady himself was the product of the Georgia uplands, where cotton took poor root. His father had been a Whig, and the son resided in Atlanta, a city

whose bellowing locomotives and smoking factories gave its chamber of commerce title to designate it the "Queen City of the South." The tradition of Lee and Grady has been responsible for the industrial system of the South—for its textile factories, its mill villages, its railroads, its tourist camps and resorts, its public utilities, and its wage scales.

Although these two traditions adhered to different ideals, there has been no major clash between them. Instead, there has been a division of territory and an exchange of experience between social ideologies. The traditions of the old South have been realized, to a large extent, in cotton, sugar, and rice; while the industrialization of the new South has occurred in the mountain regions and the cities. There has been, too, a tacit agreement on the division of laborers. The agricultural regions rely largely upon Negro labor, while the mills draw their hands almost exclusively from the whites of the mountains or from the poor whites. The planters and the industrialists have united in their attitude toward labor and have cooperated in politics to keep down the cost of government and to avoid excessive expenditures. The philosophy of the old South, reminiscent of the proslavery argument, has served to prevent industrial revolt, and planter, politician, and industrialist have sedulously played upon race prejudice to continue their dominance in Southern society.

## 2. THE REHABILITATION OF THE COTTON PLANTER

Almost as soon as the Confederate armies came straggling home, the planters began to reconstruct the old plantation system. The emancipation of the slaves had destroyed the labor system of the plantation, and the planter

needed some new method of getting Negroes to work. A few planters tried paying wages to the Negroes, but money in the hands of the laborers dissipated the labor supply. The Freedmen's Bureau supported the wage system, but too few planters were able to raise the cash for regular payments. All the liquid capital had disappeared in the debacle of Confederate finances, and the Freedmen's Bureau turned to advocating employment on contract. Before the Bureau had ceased its operations, the planters had generally resorted to the system of sharecropping.

In order to raise credit for his crops, the Southern landowner pledged his crops to a banker or factor who would "carry" him through the planting season. Merchants loaned freely to landowners, giving them credit at their stores, but exacted in return interest rates which sometimes ran from 40 to 100 per cent of the amount of the loan. By this device, the merchant or banker—the functions were frequently combined—soon came into the possession of the land. Fortunate planters who could obtain wholesale credit generally became storekeepers themselves, letting their lands out on shares to "croppers." Landless Negroes and poor whites became tenants of the merchant-planter, planted the crops which the owner specified, and frequently turned over their share of the crop as partial payment on the account at the store.

The share of the crop which the "cropper" received depended upon the amount of capital which he brought to the enterprise. If the owner furnished seeds, animals, tools, and houses and the tenant gave only his labor, the owner took three-fourths of the crop. If the tenant furnished his own provisions, he received half the harvest. Later, when some tenants had acquired some property, both owner and tenant preferred the payment of a stated

rent. But in any case, the owner required the tenant to purchase provisions and supplies at the owner's store and determined the acreage which should be planted to cotton. Seldom was the "mark-up" at the store less than 50 per cent—it was frequently 100 per cent—and seldom was the tenant permitted to vary his crops to produce the food-stuffs which would free him from dependence on the merchant.

Within 25 years after the end of Reconstruction, almost 70 per cent of the cotton farmers were tenants. During the next 25 years, the number of farms decreased and the size of the farms grew larger, but the proportion of tenant-operated farms did not materially change. The tenants were seldom able to break away from their economic bondage. In some States tenants were not permitted to move from the land if they owed money to the owner. This reduced them to the status of serfs or peons. The system contained nothing to encourage frugality or abnormal exertion. Shiftlessness was a common characteristic of white and black tenants. The constantly falling price of cotton prevented men from rising to a position of independence. Cotton fell in price from an average of 12 cents a pound during the seventies to 9 cents in the eighties and 7 cents during the nineties. In the next century, the price varied from 4 to 14 cents. Under such conditions, tenants were unable to reduce their debts.

If the sharecropper was a victim of the tenant system, the merchant-planter was no less bound to the banker or the factor who advanced him credit. Banks charged as high as one and one-half per cent a month interest. Moreover, as the cotton acreage increased, the price declined. The exorbitant rates of the railroads supplemented the extortion of the bankers. An antiquated tax system, falling

heaviest upon real property, ground down the farmer. Only those farmers who were able to establish stores were able to survive the combination of falling prices, universal extortion, and high taxes. In truth, the old plantation system was re-established with the store account taking the place of the overseer's whip, the sheriff performing the duties of the ante-bellum "patter-roller," and the exploitation of men still furnishing the source of profits.

Despite the conditions under which it was produced, cotton remained the leading crop of the South and the principal export of the Nation. The area of cotton expanded with the opening of new fields in Texas and Oklahoma. In 1878, the year after the Federal troops left the South, the cotton crop reached the 1860 level. The following year, the South produced almost 5,500,000 bales, and a decade later the crop amounted to 8,500,000 bales. By 1894 production passed 10,000,000 bales, and in the next 20 years it added another 3,000,000 bales. Despite the ravages of the boll weevil, the crop increased to 16,000,000 bales in 1914 and was over 17,000,000 bales in 1931. In years when the crop was low—and during the World War—prices ranged upward, but a bumper crop customarily brought lower prices.

The geographical center of cotton production moved steadily westward. In the first decade of the twentieth century, the total acreage of cotton increased 32 per cent. By 1913, 37,000,000 acres were given over to the production of the staple. In 1931 Texas, Oklahoma, Arkansas, and Mississippi produced over 50 per cent of the total crop. The use of fertilizer, almost unknown in the days before the war, increased the yield per acre, although in many sections intensive cultivation barely balanced the destruction of the boll weevil.

Various efforts were made to bring improvements in the production of cotton. After 1920, cotton producers banded themselves into co-operative associations in an effort to regulate the quality and grade of cotton and to secure more advantageous marketing methods. In 1929 the Federal Farm Board created the American Cotton Co-operative Association to improve the quality of cotton and to supply credit for marketing. The association had a capital of \$30,000,000 but was unable to effect any change in the existing system. In 1930 the Cotton Stabilization Corporation undertook to loan money to co-operative associations for cotton which was held off the market. The corporation loaned over \$18,500,000 to co-operatives at an average price of 16 cents a pound. The effort was futile, and cotton on the New York market sold for less than seven cents. Under the New Deal, the administration gave its attention to cotton and attempted a program of price-fixing. Farmers received bounties for taking lands out of cultivation, and the government made contracts by which Southern cotton growers agreed to reduce the crop by over 4,000,000 bales. Each farmer received a quota, and a confiscatory tax, collected at the gins, penalized the producer who exceeded his allotment. A tax upon the processing of cotton furnished the revenue for this program, and in 1933 Southern landowners received almost \$90,000,000 in "rentals." Despite the efforts of the Roosevelt administration, most of the money went directly into the hands of the landowners rather than into those of the tenants. In 1936, the Supreme Court declared unconstitutional the act establishing this system, and the government turned to a new scheme based upon a soil conservation program which promised to have comparable results.

The crop reduction program was designed for all branches of agriculture throughout the country, but another New Deal measure had especial reference to the cotton fields. In January, 1935, Senator Bankhead, of Alabama, sponsored a bill which would permit tenants to borrow from the government in order to buy their own farms. Interest rates were low, and borrowers could pay their debt in 30 to 50 years. After the Supreme Court rejected the Agricultural Adjustment Act, Congress repealed the Bankhead Act and the tenant lost the possibility of acquiring independent status.

At the same time that the government made efforts to improve the conditions of cotton tenants, the tenants themselves began to stir. In 1935-36 tenant farmers in Arkansas formed the Southern Tenant Farmers Union and began to agitate for changes. Riots and some destruction of property thoroughly aroused the merchant-planters and bankers in the State, while tenants in other States, inspired by dire poverty, began to form locals of the Union.

### 3. SOUTHERN AGRICULTURAL PROGRESS

Although cotton remained the greatest single crop of the new South, the other staples continued to furnish a large portion of the revenues. The war almost destroyed the production of rice in the South. Before the war, the best rice fields in South Carolina had sold for \$200 to \$300 an acre, but the abandonment of the fields during the war resulted in the destruction of dykes, and the fields were overgrown with bushes and weeds. Moreover, rice cultivation required much greater capital than cotton, and the planters were obliged to mortgage their lands. The un-

organized labor supply furnished even more serious difficulties, for the sharecropping system was not so readily adapted to rice as to cotton.

The difficulties before the rice planters led many of them to abandon the crop. Georgia and South Carolina lost the lead in rice production to Louisiana and Texas. Farmers from the Northwest, migrating to southwestern Louisiana, brought with them the methods of their homes. They acquired large fields, built levees, and flooded their lands with the water of the surrounding creeks. When the local streams failed to furnish sufficient water, the new planters dug canals to tap the larger rivers. Louisiana became the leading rice-producing State, followed in order by Texas and Arkansas.

/ Sugar production, too, was largely confined to Louisiana after the Civil War. Since considerable capital is necessary in sugar, the growers consistently clamored for a protective tariff to protect their product. Moreover, the profits were so uncertain that only the largest producers were able to survive. Before the war, sugar houses with a daily capacity of 200 tons were profitable, but by 1900 only those houses which could handle 1,500 to 2,000 tons remained in operation. The grower solved many of his labor problems by the introduction of improved machinery. | The Sugar Planters Association, formed in 1877, was responsible for many of the improvements, and the sugar experiment station at New Orleans taught lessons in economy. The crop varied from 50,000 to 100,000 tons a year with a maximum production of 335,000 tons in 1908.

The protective tariff brought both prosperity and distress to the cane growers. Before 1890, a duty of 2½ cents a pound gave prosperity to the producers. In that year,



however, the government changed its policy, placed raw sugar on the free list, and paid a bounty of  $1\frac{3}{4}$  to 2 cents a pound to the Louisiana producers. This scheme was abandoned in 1894, and imported sugar was taxed by an ad valorem duty of 40 per cent. Since the world price of sugar was low, the foreign producer could still undersell the American grower, and in 1897 the sugar growers obtained a higher tariff. Reciprocity treaties with Cuba and the free admission of sugar from Porto Rico and the Philippines continued the hardships under which the Louisiana producer labored. The Underwood Tariff of 1913 put sugar again on the free list, but the outbreak of the World War saved the planters from extinction. In 1921 the tariff imposed a duty of 10 cents on imported sugars and saved the domestic producer. However, the development of beet sugars in parts of the West reduced the profits of the Southern cane sugar grower, and he maintained a precarious existence.

While cotton, rice, and sugar dominated the agricultural scene in the lower South, the principal money crop of the upper South was tobacco. Before the war, the development of new grades of tobacco had brought a renewed prosperity to the tobacco regions. In the years after the war, the crop spread to new areas, and Kentucky took the lead over Virginia. By 1900, the annual value of the Kentucky crop was over \$18,000,000. Different types of tobacco were grown in the various regions of the South. Virginia, the Carolinas, and east Tennessee grew a bright yellow grade especially valuable for fillers. The dark, heavy varieties of the leaf, notably Burley, became the principal types in Kentucky and Tennessee. Florida and Georgia produced the Sumatra and Cuban leaves, which are used in cigar manufacturing. North Carolina, nearest

the factories, grew "flue-cured" tobacco for cigarettes

The social system of the tobacco regions was but little different from that of the ante-bellum period. Tobacco was never adapted to the plantation system of production and was generally a family crop grown on farms of ten acres or less. Small farmers, engaged in diversified farming, were the rule in the tobacco regions.

Unlike that of cotton, rice, and sugar, the marketing of tobacco remained in the hands of the producers. The credit system and the tenant system did not take deep root in the tobacco-producing regions. The local warehouse remained the market place for the tobacco crop. To the warehouses the farmer brought his loose tobacco, and there it was graded and arranged in piles. Buyers visited the warehouse, inspected the piles, and purchased either on their own account or for a manufacturer. Much of the tobacco crop is exported in bulk, and since the demand is fairly constant, the price has been steady. In recent years, the increased use of tobacco by women has kept up the price and brought comparative prosperity to tobacco growers.

In contrast to the ante-bellum South, the new South engaged in a considerable diversification of agriculture. In addition to the staple crops, cereals brought in increasing revenues, and with the development of improved means of transportation and refrigeration vegetables and fruits grown in the South supplied the national market. Apples in Virginia and Arkansas and oranges and grapefruit in Florida added largely to Southern incomes. Nuts, grapes, strawberries, and vegetables of many varieties brought prosperity to the rural regions. Most of these newer crops were produced on small farms and gave no foothold to the system of store credit and poverty-stricken

tenancy which characterized the dwindling domain of King Cotton.

#### 4. THE INDUSTRIALIZATION OF THE SOUTH

While Southern agriculture was making considerable efforts to reproduce the social system of the old South, the processes of industrialization began in the mountains and the urban regions of the section. West Virginia, east Tennessee, western North Carolina, and the hill country of Georgia and Alabama had never given root to the plantation system. With potential resources of iron and coal and water power, these regions had succumbed to an agricultural regime and become the homes of small farmers. Yet Clay's American System had appealed to the denizens of these regions and they had hoped for internal improvements, protective tariffs, and industrial development. So long as the slaveholders and the planting aristocracy dominated the South, the potential industrialists were handicapped, but the Reconstruction period brought opportunities for the exploitation of natural resources and the growth of factories.

"Parson" Brownlow and Henry Grady were but two of many advocates of Southern industrialization. The difficulties confronting agriculture caused many a former planter to turn his thoughts from farms to factories. The abolition of slavery forced future accumulations of capital into other channels, and throughout the South men hearkened to the dreams of industrial wealth. During Reconstruction, the migrating Northerner with his capital was turned away by Southern politics and by the cold processes of ostracism; but when the first wave of Yankee migrants had passed from the scene and their carpetbag allies had

followed the northward march of the withdrawing troops, Southerners themselves began to construct factories.

The beginnings of industry were small, making up in enthusiasm what was lacking in capital. The gospel of industrialism received the sanction of the pulpit and the blessings of the press. Every artificial stimulant was used to extract capital. Throughout the eighties, towns and cities began to vie with each other in building factories. Chambers of commerce, merchants associations, and town councils stood prepared to reward factories with tax exemptions, free factory sites, and full immunity from hampering regulations.

Before 1900, most of the Southern factories were financed by local capital. The prophets of industrialism argued that the establishment of mills near cotton fields would remove the cost of transporting raw materials to distant factories, and that Southern power, whether derived from the near-by coal fields or from water power, was cheaper than Northern power. But the greatest and soundest argument was that based upon the availability of cheap labor. Poor whites of the rural regions, the pine barrens, and the mountains could usually be put to work tending the spindles or giving routine attention to modern machines. Moreover, this labor was overwhelmingly Anglo-Saxon, conservative, and illiterate. The poor whites would appreciate the relief from agricultural poverty and would not yield to the virus of the labor organizer and the radical agitator. Long generations of subservience to the master class in the old South had made the poor white docile. The factories of the South were based upon the same principles of exploitation as the old regime. The profits came from low wages, long hours, and low standards of living.

The early Southern industrialists formed companies, sold stock in their enterprises, and established their factories along the railroad lines in the neighborhood of small towns. Cheap land and exemption from taxation enabled them to start with little more than credit and the promise of stock subscriptions. Since there was no concentrated labor supply readily available and already living in the country, the companies constructed cheap houses in the neighborhood of the mills. Tenant farmers and mountain families came to dwell in these mill villages, to work long hours in the mill, and to spend their small wages at the company store. The company rented the houses cheaply and the prices at the store were no higher than those in the stores near the cotton fields. The company, too, took over responsibility for all aspects of community life. The company built the village church and paid the salary of the minister. The company built the school, selected the members of the school board, and paid the salaries of the teachers. The company maintained the local constable, a deputy sheriff who was selected by the company. At a later period, when community houses and Y. M. C. A.'s were demanded, the company furnished them and paid the salaries of the workers. The worker's life centered in the mill, and the mill owners' control over the laborers was as complete as the control of the master over the slave village on the plantation.

Under such a system of control the factories of the South grew rapidly. The greater number of factories manufactured cotton cloth. In 1880 the Southern States had 184 cotton mills with a total capitalization of \$22,867,000. This was less than one-fourth of the total number of mills in the United States. In 1881 Atlanta was the scene of a cotton exposition which gave inspiration to innumerable

ambitious Southerners. By 1900 the number of cotton mills in the South was 416, which was almost 50 per cent of all those in the Nation. In that year the investment in cotton factories totalled \$132,450,000. In the first years of the next century, New England cotton mills began a Southward migration, Northern capital came in, and within two decades the center of cotton manufacturing had shifted to the South. In 1925, Southern mills had over half of the spindles and looms of the industry. The greater number of cotton mills were located in the Carolinas and Georgia, with many in Alabama, Tennessee, Oklahoma, and Texas.

In addition to cotton, other textile industries developed in the South. Rayon was the principal new addition, but there were scattered woolen mills. More important than these, and equal in its economic and social effects on the South, was the progress of mining. The rich iron and coal mines of the Appalachian region were known but undeveloped in the period before the war. Before 1900, little was done toward developing steel, but iron mining began in east Tennessee as soon as the war was over; and at the same time, the Birmingham region began coke furnaces for the manufacture of steel. In 1899 the Tennessee Coal, Iron, and Railroad Company opened furnaces at Birmingham. The company was not a success until after 1907, when Theodore Roosevelt permitted the United States Steel Corporation to take over and reorganize its operations.

Coal mining equalled or surpassed the mining of iron. Bituminous coal beds near Richmond, along the Dan River and in the mountains in North Carolina, and in Kentucky invited exploitation. In 1880 over 6,000,000 tons were taken from the South. This was but eight per cent of the

total production in the country. During the next 20 years, there was an annual increase of 1,000,000 tons in West Virginia alone, and the annual production in the South amounted to nearly 50,000,000 tons. The Pocahontas field in Virginia and West Virginia is located conveniently near the industrial cities of the Middle States and the South and close to water transportation. Next to West Virginia, Alabama and Kentucky ranked second and third in the total coal production, with Maryland, Tennessee, Virginia, Arkansas, Texas, Georgia, and North Carolina following in order.

New requirements for fuel for an industrial nation led to the discovery and development of oil and natural gas in various sections of the South. Texas and Oklahoma led the South in oil production, but there were rich pools in Louisiana, Arkansas, Kentucky, West Virginia, and Tennessee. Oil refineries were located near the Mississippi River.

The exploitation of natural resources was not confined to mining. The development of electricity from water power paralleled other industrial progress. The Southern Power Company, beginning its operations shortly after the turn of the century, inaugurated an era of electrification. Important utility companies, such as the Alabama Power Company, the Tennessee Electric Power Company, and the Carolina Power and Light Company, served over 2,000,000 consumers. The greatest potential source of hydroelectric power is to be found in the Muscle Shoals of the Tennessee River. From the vicinity of Chattanooga to Florence, Alabama, the Tennessee is unfit for navigation. The 40 miles from Decatur to Florence consist of a series of rapids to which the name of "Muscle Shoals" has been applied. Long regarded as a source of power, the

river remained undeveloped until the World War. The need for nitrates led the United States Government to construct two nitrate plants and build one dam. A second dam, called Wilson Dam, was only partially completed at the close of the war.

X For 15 years after the World War, the government retained these unproductive properties while it heard various proposals for their disposal. Most publicized—if not the most sound—proposal came from Henry Ford, who wished to develop the nitrate plants to produce cheap fertilizers. Finally, with the New Deal there came renewed governmental efforts. The Tennessee Valley Authority, established as one of the New Deal agencies, undertook a far-reaching program which embodied the production of electric power for local consumption. The T. V. A. contemplated a complete reorientation of society in the Tennessee Valley. The Authority received the right to generate and sell power and build dams and power plants. The T. V. A. began a program which included saving the soil from erosion, reforestation, establishing and encouraging small local industries, and vocational education. The Electric Home and Farm Authority, created as a subsidiary of the T.V.A., undertook to stimulate the domestic use of electric power and electrical appliances. For some years Southern consumers of electric power had been complaining of the exorbitant rates charged by the local power companies, but the public utility commissions of the States had provided no relief. One function of the T.V.A. was to act as a “yardstick” to measure the actual cost of production. Under a commission consisting of Dr. A. E. Morgan, of Ohio, President H. A. Morgan, of the University of Tennessee, and David Lilienthal, of Wisconsin, the T.V.A. established headquarters in Knoxville and began the con-



struction of Norris Dam as the first of a series of dams which would harness the river's power. Despite a vicious attack upon the T.V.A. as a "socialistic experiment," a number of towns and cities voted to control their own distributing systems and to purchase power from the new governmental agency. In 1936, following a number of adverse decisions in the lower Federal courts, the Supreme Court upheld the right of the T.V.A. to sell its "surplus" power.

Other lines of industrialization in the South include tobacco factories, established in Virginia, North Carolina, and Kentucky; lumbering, especially in the yellow pine regions; the production of naval stores; furniture making; and pulp mills. Oyster fishing in Maryland and Virginia added to Southern wealth. Southern railroad development paralleled the growth of mining and manufacturing. At the end of the Reconstruction period, railroads had been built in excess of the financial capacity of the South, and for some years corruption in issuing securities was the only source of profit. In 1875, 25 railroad companies entered a pool to fix uniform rates and apportion profits. The passage of the Interstate Commerce Act in 1887 forced the pool out of existence and led to the necessity for consolidation. Out of a long period of readjustments, the Southern Railroad, the Louisville and Nashville, and the Norfolk and Western Companies emerged as the dominant systems. Since 1880, 65,000 miles of new tracks have been laid in the South and the section possesses one-third of the total mileage in the Nation.

##### 5. CAPITAL AND LABOR IN SOUTHERN INDUSTRY

Throughout the South, whether in the tobacco factories, the cotton mills, or the iron and coal mines, the labor sup-

ply was drawn from the same sources. The poor whites entered the mills and the mines. As in the days before the war, the number of foreigners in the South were few. By 1920 the foreign-born residents of the South were but a negligible portion of the total population. Texas, with many Mexicans, led the South with 7.8 per cent, while North Carolina had but three-tenths of one per cent foreigners. With the exception of a few who came to the coal mines, the majority of the Europeans remained near the seacoast. The mills were worked by the native-born.

The principal argument for the establishment of industry in the South was the docility of labor. The Southern industrialists took pride in the fact that their laborers were content to work longer hours for lower pay than the factory workers of the North. For decades the workers themselves were content, welcoming the comparatively simple tasks of the cotton mills as a relief from the impoverished drudgery of the tenant farms. Enjoying to the fullest the opportunity for contacts with their fellows, finding emotional outlets in the revivals at the company-supported church, and living in houses superior to the shacks of the rural regions, the mill workers felt no particular class consciousness and gave no heed to the labor movement which blossomed elsewhere in the United States.

The Negro population did not find a welcome at the new mills. There was no place in the mill villages for the blacks. The poor whites who had jobs in the new factories considered their employment but another proof of their intellectual and biological superiority to the Sons of Ham. In the few cases where Negro labor was tried, it was found unsuccessful. The same difficulties that had faced the planter in his search for an overseer faced the factory

owners in finding white foremen who could supervise Negro workers. For reasons of the master's control, it was considered impossible for the two races to work side by side. The result was that the Negroes were relegated to agriculture, to personal services, or to employment as artisans in the towns.

The plantation system produced more Negro artisans than did the era of freedom. The necessity of producing goods on the plantation had led to the training of Negro blacksmiths, carpenters, cabinet makers, and weavers. The post-war years opened up few opportunities for Negroes to follow the trades. White competition shoved them from their vocations. The willingness of the Negro to work for low wages depressed the wages of whites as well. In general, there was a considerable wage differential between the races for the same types of work. In 1900 it was estimated that Negro carpenters were willing to work for 75 cents to \$1.25 a day while white carpenters required \$1.50 or more a day. Contractors frequently employed mixed gangs of a few white workers who were engaged on the more precise tasks and a larger number of Negroes to perform the more laborious and rougher work. Yet the presence of the Negro worker served to keep the white workers docile. The higher wage of the white man enabled him to feel and assert his superiority, while the fact that the Negro could displace him served to keep him out of the hands of the radical agitators. Labor unions in the South were almost exclusively confined to the whites, but their activities were crippled by the constant threat of the unorganized and lower-paid Negroes. Only in the tobacco factories, and in the unskilled labor of the lumber and iron industries, were the Negroes admitted to Southern industry.

With the increase of white tenancy, the Negro was forced off the farm and sought refuge in the cities of both the South and the North. Negroes in the cities engaged largely in construction work or in personal services. Domestic servants, truck drivers, janitors, and helpers for skilled white laborers were drawn from the ranks of the blacks. Increased opportunities for similar occupations and the needs of Northern industry caused a Negro migration to Northern cities. The Negro assumed, perhaps wrongly, that the Northern white man was more friendly than the Southerner.

The white workers in the mill villages remained contented, or at least passive, in their lot until industry had obtained a good foothold in the South. The low wages and long hours of the Southern operatives, however, constituted a problem for organized labor in the other portions of the country. Northern mill owners could threaten to move their mills to the South, and the migration of factories left the Northern working population stranded. Only a few of the most highly skilled Northern workers followed the mills to the South. Early in the migration, the International Union of Textile Workers, with the approval of the American Federation of Labor, began to form unions in the South. After a merger with the United Textile Workers of America, the unionization went forward rapidly. From 1903 to 1918, the Union sent down organizers who formed a few locals each year.

To the general surprise of those who had counted upon the docility of Southern labor, the organizers had little difficulty in obtaining members. Women as well as men joined the organization. The organizers were not faced with language barriers, as they were in the North, and a few speeches in the village hall were sufficient to form a

local. The real problem, however, was to hold the members. Employers opposed the unions and took advantage of slack seasons to discharge members. When the unions were left to themselves, they died off rapidly.

There were some locals which revealed a determined unionism. Strikes at Atlanta in 1914, at Anderson, South Carolina, in 1916, and at Columbus, Georgia, in 1918 were especially bitter, but the mill owners had the support of the troops and that of the newspapers and the general public. As a result, the movement collapsed with a complete victory for the employers.

With a more rapid movement of textile mills to the South after the World War, the United Textile Workers determined to enter the South. In eight months of 1919, 67 new locals came into action. Forty-three of them were in North Carolina, where there were 40,000 paid-up members; and South Carolina accounted for an additional 5,000 new unionists. As soon as the unions were formed, they demanded a shorter day and a shorter week. Strikes were numerous. At Charlotte, Concord, and Kannapolis, North Carolina, and at Rock Hill and Graniteville in South Carolina, the Unions won a part of their demands. In 1920 the work of organization slackened, but 37 new locals were formed. A general business depression gave the mill owners an excuse for closing plants or for reducing wages. In 1921, when lower wages were announced, 9,000 workers at Charlotte, Concord, Kannapolis, Huntersville, and Rock Hill made a desperate last stand. The strike lasted for weeks and the laborers were defeated. Reductions came, and the failure of the strikes caused a decline in membership until barely 2,000 Southern laborers remained in the organization.

For a half dozen years peace reigned on the Southern

industrial front, and the Southern mill owners began once again to congratulate themselves on their docile labor. But beneath the surface the workers were still dissatisfied. In 1927 and 1928 Southern unions began once more to organize and to agitate. The adoption of the "stretch-out" by which one weaver cared for as high as 100 looms caused widespread discontent. In October, 1928, labor delegates from six Southern States met at Chattanooga to prepare for action.

On March 13, 1929, the 3,500 employees of the American Glanzatoff Rayon Company at Elizabethton, Tennessee, struck for higher wages. Two thousand other employees of the Bemberg Company joined them. The companies appealed for troops, and the Tennessee National Guard arrived on the scene. The guardsmen were sworn in as special deputies and acted under the nominal direction of the company-selected sheriff. The district court forbade picketing, and picketers were arrested en masse. A mob attacked the strikers and drove Northern organizers out of town. With violence threatening, unions and employers accepted government arbitration.

A second textile strike occurred the following month at Gastonia, North Carolina. Here the communist National Textile Workers Union organized the employees of the Loray mill, controlled by Rhode Island capital. The workers demanded an eight-hour day and a five-day week with a minimum wage of \$20. With the assistance of the National Guard, the company evicted strikers from the company-owned houses. The workers established a tent colony, and a mob destroyed the strikers' headquarters. When police attempted to invade the tent colony, there was shooting and the chief of police was killed. One hundred strikers were subpoenaed, and 11 men and 3

women faced charges of murder. Seven were found guilty of second-degree murder and received sentences of from 5 to 20 years. On the other hand, members of a gang who mobbed and murdered the workers escaped indictment until the Governor interfered. A farcical trial resulted in their acquittal.

Other strikes occurred at Marion, North Carolina, at several points in South Carolina, and at Danville, Virginia. In each case the same phenomena of National Guardsmen and company-inspired mobs, court injunctions, and widespread popular disapproval characterized the outbreaks.

These disorders were succeeded in 1931 and 1932 by outbreaks in the coal fields of southeastern Kentucky. In Knox, Harlow, and Bell Counties the coal miners earned a weekly average of \$52.50 per family. When deductions were made for the company-supplied houses, medical care, fuel, and mining supplies, the average family of five received a total of \$36.75 for a week's work. Frequently this was paid in the brass checks which the company store accepted. The mines near Harlow belonged to the Peabody Coal Company, the Mellon interests of Pittsburgh, the United States Steel Corporation, and the International Harvester Company. Wage cuts early in 1931 led to dissatisfaction, and the United Mine Workers began organizing the discontented. The strike began in April, the Governor sent the National Guard, and the I. W. W. and the Communist International Labor Defense appeared on the scene. Wide publicity caused radical writers, professional men, and college students to attempt to assist the strikers. Guardsmen met the visitors at the county line and refused permission to enter. The mine owners appealed to the provincialism of the

people and stirred them to resentment against outside interference. The organizer and the secretary and five members of the Harlow union were tried for participation in riots and were sentenced to life imprisonment.

These strikes were sufficient indication that Southern labor had passed beyond its early docility. At the same time, they indicated the difficulties in the way of achieving success for the workers. The government officials were almost invariably in sympathy with the companies and were willing to use the militia to suppress the laborers. Moreover the "red" specter seemed to have an especial power to terrify Southern communities. Newspapers and the public were hostile to the workers. The South became a land of "red baiters," and the American Legion, the National Guard, and the Chambers of Commerce united in condemning the "communism" which had sought to invade a once happy land.

XThe New Deal brought no help to the Southern employer. The codes of fair competition set up under the National Recovery Administration provided for a wage differential between Northern and Southern labor. Since the proposed wage scale for the South was considerably higher than the prevailing wage rates, the Southern industrialists were among the first to denounce the N. R. A. Failure to comply with the codes soon led to more labor discontent. Southern employers attempted to force workers into company unions and refused to recognize locals affiliated with the American Federation of Labor. Partly to obtain union recognition and partly to obtain the hours and wages proposed in the New Deal program, Southern textile workers went on strike in 1934. Strikes were especially violent in Georgia, where the Governor,



Eugene Talmadge, completely out of sympathy with the national administration, treated the strikers as revolutionaries. At Atlanta and Rossville, the strikers were placed in concentration camps.

Late in 1934, the Southern States Industrial Council, composed of representatives of leading Southern industries, met in Chattanooga to protest against the New Deal. A Nashville editor addressed the assemblage on the possibilities yet confronting Southern industry. The South, he asserted, "stands at the threshold of a new era in which it will see its raw materials made into a greater variety of new products than ever before." Other speakers reiterated the same idea, pointing especially to the possibility of using Southern pine as pulp for newsprint, while the entire council was agreed that governmental competition would prevent opportunities for the exploitation of new resources. In order to facilitate new industrial development, the Council proposed a "subnormal" code of wages for Southern labor and suggested that \$9.50 for men, \$8.00 for women, and \$6.00 for children would compensate the South for the "handicaps occasioned by distance, . . . and inferior workmen." The entire object of union labor, asserted one orator, is to "force high rates of wages, short hours." These elements, he declared, "tend to the destruction of any industry dominated by it."

The Council formally adopted a report which declared that the "South is confronted by particular problems, the most imminent of which is to preserve and protect our industrial opportunities. . . . Our larger industrial development must first be made possible by removing the manifest obstacles which restrain it." Specifically, the council demanded wage differentials which would protect South-

ern industry against Northern competition and insisted upon "keeping Southern labor free" from disturbance by "the professional activities of outside agitators."

The decision of the Supreme Court invalidating the N. R. A. enabled the Southern industrialist to restore the wage levels which would enable him to compete with the Northern producer. In the succeeding year, the employers of labor showed even greater vigilance in promoting a "red scare" in the industrial regions. By 1936, the class lines in the South were clearly drawn and Southern labor had definitely ceased to be docile.

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## CHAPTER XXVI

# POLITICS AND GOVERNMENT IN THE NEW SOUTH

### 1. THE BOURBON DEMOCRACY

THE restoration of white supremacy in the Southern States was accomplished by intimidation of the Negroes and corruption at the ballot box. Those who profited from the expulsion of the carpetbaggers justified their tactics by blatant assertions that the South was "a white man's country" and the "niggers must be put in their place." The lessons of Reconstruction remained as permanent parts of Southern politics, and the groups who had obtained control held their position by appeals to race prejudice and by a widespread indulgence in corrupt practices. The Negro question played the same part in Southern politics that the "Bloody Shirt" did in Northern vote-getting.

Although they lost no opportunity to claim such a descent, the new Southern politicians were not the descendants of the old planter aristocracy. For a generation after Reconstruction, the possession of a war record was an essential for political candidates, and political oratory dealt largely with a recitation of the heroic legends of the "lost cause." The politicians, however, were less identified with the Confederacy than with the New South. Representatives of the yeomen farmers—a class who had

been content to follow the leadership of the slaveholders before the war—now assumed offices. In general, they represented the rising business men, the merchant-planters, and the local industrialists. As interested as their constituents in the industrial development of the section, they favored cheap government and low taxes and exempted new factories from regulation or taxation. With no desire to see an educated laboring class, they condemned public schools as “Yankee” institutions, gave only the most meager support to State universities, and adopted various devices to divert public funds from Negro education.

To outside observers it seemed that the leaders of the South were Bourbons who had neither learned nor forgotten anything in the preceding decades. To their opponents in the South, the Bourbons were only comparable to the French royal family “in their common hostility to popular government and democratic institutions.” In 1882, William M. Lowe, alleging that he had been deprived of a seat in Congress by Democratic frauds, told the House of Representatives that “the Southern Bourbon is an organized appetite. His idea of politics is patronage; his sole conception of party is an organization which acquires and distributes the offices. . . . The Bourbons indulge in practices that corrupt the fountain of politics.” Corruption at the polls was rife throughout the South. Despite the best efforts of the legislatures in gerrymandering the election districts, there were portions of every State where the Negroes would control local affairs unless the white men resorted to intimidation and corruption. The Bourbon controlled the polls, and the “tissue ballot” became a feature of the elections. State laws required separate boxes for each set of officers, and

judges threw out votes which were not placed in the correct receptacle. By the shift of the location of the ballot boxes, the illiterate Negro voters were effectively disfranchised. Frequently, voting districts cast more Democratic votes than they had registered voters. The appearance of armed men at the polls, apparently intoxicated, usually proved an effective deterrent to Negroes who wished to vote.

There were no issues in Southern elections. The possession of a creditable war record was sufficient qualification for a candidate, and an appeal to the whites to preserve their supremacy was usually sufficient to insure the overwhelming election of the right candidate. Once in office, the Bourbons devoted themselves to ostentatious economy. Although the corruption which prevailed at the polling places inevitably produced both inefficiency and dishonesty in the public offices, there was less bribery of legislators than in the worst days of Reconstruction. Inefficiency and a rudimentary standard of public ethics accounted for losses, but there was no wholesale distribution of the public wealth to railroad corporations.

As a phase of the newer economy, the restored Bourbons began a vigorous assault upon the State debts. Some of these debts had been contracted before secession; others had been incurred for non-military purposes during the war; while most had resulted from the lavish expenditures of the Reconstruction governments. The unpaid interest on these bonds amounted to many millions. When the Bourbons regained control, the total debt for the 11 Confederate States was nearly \$140,000,000.

Virginia had the largest State debt and the greatest difficulty in reducing it. In 1871 the total debt amounted

to \$45,000,000, and the legislature allotted one-third to West Virginia and funded the remainder in five and six per cent bonds. The interest coupons were receivable for taxes, and the State finally found itself with a greatly reduced income. A movement for repudiation soon began, and H. H. Riddleberger organized the Readjuster party. In 1879 the Governor vetoed a bill to reduce the debt below \$20,000,000. In 1881 the Readjusters elected their governor and controlled the legislature. The new government passed bills to reduce the debt, but the United States Supreme Court declared them unconstitutional. In 1890 the legislature finally reduced the debt to \$19,000,000 bearing two to three per cent interest. Meantime, West Virginia charged that her allotment of the debt was unfair. The Supreme Court heard a suit between the two States, and in 1911 reduced the amount of West Virginia's portion from 33 to 23 per cent. West Virginia refused to accept this figure, and Virginia asked further action. In 1919 the two States compromised the matter with West Virginia agreeing to assume a debt of \$14,500,000.

North Carolina's State debt at the close of Reconstruction amounted to over \$13,000,000. In 1879 the legislature repudiated the Reconstruction debt and funded the remainder at less than 40 per cent. By compromising the bonds issued before the war to aid a railroad, the State succeeded in repudiating nearly \$25,000,000 of indebtedness.

South Carolina's total indebtedness was never accurately estimated. During the carpetbag regime, the legislature repudiated bonds freely. In the end, the State had a debt of \$7,000,000. Georgia repudiated over

\$9,000,000. Alabama's debt of \$20,000,000, too, had been reduced before the carpetbaggers lost control of the State. The State repudiated over \$13,000,000 and emerged from the process with a debt of about \$10,000,000. Florida's \$4,000,000 debt was destroyed by the State's supreme court without legislative action. Mississippi and Texas, both of which had been large repudiators before the war, accepted their debts without attempting repudiation. Louisiana had nearly \$50,000,000 in bonds which had been issued in aid of levees and railroads. The excessive debt caused the carpetbaggers to attempt repudiation and refunding. A long struggle with the bondholders in the courts resulted in a reduction to about \$12,000,000. Arkansas repudiated about \$13,000,000.

The total effect of these repudiations was to ruin the credit of the States. The Bourbons wished little credit and erected economy into a fetish. Northern and foreign bondholders formed associations to fight for repayment, but they were unable to collect. South Dakota sued North Carolina in the United States Supreme Court and collected the difference between the face value and the refunded value of the Southern State's bonds, but the Court refused to permit other States to become collecting agencies for their citizens. Foreign bondholders have constantly besought the State Department to take action against the Southern States. The South's credit in Europe remained poor. Another result of repudiation was to make Northern capital hesitant about Southern investments. Eventually, however, the economy program of the Bourbons and the placidity of Southern labor conditions overcame this objection, and Northern industry began a Southern trek.



## 2. SOUTHERN POPULISM

The politicians of the Bourbon Democracy came from the merchant-planter and the business classes of the new South. They were identified with the towns rather than with the country. The principles of *laissez-faire* dominated Southern legislation. The new rulers passed lien laws for the benefit of the merchants and eased the burden of taxation on the urban groups, but gave no consideration to the small farmer and the tenant.

Before the close of Reconstruction, the Granger movement made considerable headway, and in 1875 there were over 1,000 local "Granges" in the South. The Grangers did not participate in politics, but an occasional politician, such as Martin Gary in South Carolina and Georgia's W. H. Felton, announced their adherence to Granger principles and made appreciable headway against Bourbon dominance. The Granges did much to stimulate the Southerners and prepare the way for a greater revolt of the depressed farmers.

In 1875 an organization of farmers in Texas took on the name of "Farmers Alliance" and began agitation against the land monopolists of the region. In 1880, after many vicissitudes, they formed the Grand State Alliance. The movement spread rapidly to other States. In Louisiana the Farmers Union had obtained about 10,000 members when C. W. Macune, head of the Texas Alliance, proposed uniting the two groups in the National Farmers Alliance and Co-operative Union of America. The Alliance proclaimed itself a business association and denied political aspirations. At the same time, another farmers' organization, the Agricultural Wheel, began in Arkansas and spread over other States until it could count

500,000 members. In 1889 the Wheel and the Alliance merged in the Farmers and Laborers Union of America. By 1890 the united body had over 2,000,000 members. Paralleling this movement of the Southern whites, the Colored Farmers' National Alliance and Co-operative Union aligned the Negro farmers with the general purposes of the organized white farmers.

In 1889 the Southern Alliance assembled in St. Louis in a joint meeting with the Northwest Alliance and the Knights of Labor. The three organizations failed to effect a national union, partly because Northern farmers hesitated to enter an organization in which the Southerners would have a majority and partly because of divergent interests between the farmers of the two sections. The groups did agree in their platforms in demanding inflation of the currency, abolition of national banks, government ownership of railroads, and a revenue tariff.

Immediately after the St. Louis meeting, the Southern Alliance began to expand into the North. The Alliance spread rapidly in the South and served as a valuable educational agency in disseminating scientific agricultural information. The Alliance also attempted to engage in co-operative marketing, and launched State "exchanges" whereby the members could obtain credit. These organizations met the opposition of merchants, and bankers, manufacturers, wholesalers, and the railroads discriminated against them. As a result, the co-operative features of the Alliance failed to accomplish any permanent relief for the farmers' ills. With failure meeting their efforts in business, the Alliance men turned to politics.

Although Northern farmers could see no hope in either of the major parties and preferred to launch a third party,

Southern Alliancemen preferred to work through the Democratic party. Low prices for cotton, and legislation in favor of business men and urban interests persuaded the small farmers of the Southern back country to go into politics against the Bourbons. In South Carolina Ben Tillman, ex-Confederate, began to demand the overthrow of the ruling classes. In North Carolina, Colonel Leonidas L. Polk, later president of the Southern Alliance, launched a movement to force the Bourbons to adopt legislative reforms. In these States the farmers set forth to capture the Democratic party. In 1888 Tillman's followers, using the Alliance, won a majority of the legislature, and in North Carolina the farmers forced the election of an Allianceman as Speaker of the House. In 1890 Tillman campaigned for the Democratic gubernatorial nomination against J. H. Earle, a representative of the low-country Bourbons, and the farmers won complete control of the party. In Georgia the Alliance forced candidates to pledge adherence to the farmers' demands. The leader of the Georgia farmers was Thomas E. Watson, who ran for Congress. The Alliance gained control of the party in Texas, Arkansas, and Tennessee. In all the States, the candidates of the farmers won control of the legislatures, sent 44 men to Congress, and gained the adherence of several Senators. The Alliance elected Governors Tillman in South Carolina, William J. Northen in Georgia and H. H. Hogg in Texas.

The new legislatures showed less devotion to economy than their Bourbon-controlled predecessors. They made more appropriations for education, and South Carolina created an agricultural college in Calhoun's old home. North Carolina established a railroad commission and gave it powers to regulate rates, subject to judicial review,

and power to prevent rebates and discriminations. Georgia and other States established similar commissions and restricted the activities of banks, but did nothing to improve rural credit conditions. In South Carolina the State took over the control of liquor and established a State dispensary system designed to regulate and discourage excessive drinking. For the Nation, the Southern Alliance proposed a "subtreasury" plan which would enable farmers to deposit their crops in a government warehouse, receiving certificates of deposit up to 80 per cent of their value. These certificates would circulate as legal tender. To the intense alarm of conservatives North and South, Tom Watson attempted to force Congress to discuss a measure to create the "subtreasuries."

As the elections of 1892 approached, the farmers' alliances of the Northwestern States prepared to launch a third party. Southerners, however, had captured the Democratic party in the States and were unwilling to desert the party which had secured white supremacy. Any division of the white vote would create a danger of a return to Negro domination. Southern Alliance Democrats hoped to be able to commit the national party to agrarian principles, but the nominating convention in Chicago completely ignored the Southerners and renominated ex-President Grover Cleveland. When the leaders of the Alliance endorsed the Populist party, many Southerners deserted the alliance to remain with the Democrats. Some Southerners organized Populist tickets, and the party, which had nominated a Confederate general, Virginia's J. G. Field, for Vice-President, made the mistake of sending ex-Union generals into the South to arouse enthusiasm for the third-party movement. Such

local Populist groups as were formed co-operated in the State elections with the Republicans.

In the elections the Populists, "Jeffersonian Democrats," and regular Democrats appealed to the Negroes to stay away from the polls. In every State where there was a possibility of victory for Alliance candidates, the Bourbons used the same tactics which had hitherto preserved the States from Negro control. In Lowndes County, Alabama, the Bourbon candidate for Governor received 2,272 votes to 361 for his "Jeffersonian Democrat" opponent. The final returns, however, showed 4,995 to 361, and such methods throughout the Black Belt defeated the farmers' candidates. In addition to fraudulent returns, the Bourbons used intimidation, proscription, and actual violence to prevent the election of Alliance men. Moreover, they shamelessly purchased Negro orators and Negro votes. The Bourbon Democracy supported Negro candidates, provided entertainment for Negro voters, and even imported Negroes from adjoining States for use on election day. As a result, Cleveland carried the South, and the Bourbons replaced the farmers in control of most of the States.

In 1894 the alliance of Populists and Republicans grew in strength throughout the South. Tillman, still at the head of the Democratic party in South Carolina, announced his candidacy for the United States Senate as an opponent of Cleveland. In Georgia, Watson, defeated in 1892, sought to return to Congress; and the bitter conflict between regular and "Jeffersonian" Democrats was repeated in Alabama. But again the Bourbons resorted to fraud, intimidation, and the purchase of Negro voters. Tillman won in South Carolina. Watson was defeated

in Georgia, but the Populists gained in the legislature. One Populist was elected to Congress from Alabama, but the Bourbons retained control of the State. The greatest victory for the dissenters came in North Carolina, where the Populists chose a United States Senator, four congressmen, a majority of the State Senate and a large number of the Lower House. Republicans elected another United States Senator, two congressmen, and, in alliance with the Populists, controlled the State Assembly. Election contests resulted in seats in Congress being given to Republican, Populist, or Alliance Democratic candidates from other Southern States.

Experience with Populism convinced Southerners that a division of the Democratic vote meant Negro and Republican rule. The fusion government in North Carolina allowed Negroes to hold offices, and riots resulted. The Democratic party offered the only solution to the problem of maintaining white supremacy. Southern Alliancemen determined to capture the national Democracy. As the election of 1896 approached, Southerners endorsed proposals for the free coinage of silver and prepared to defeat the Cleveland element in the party. When the Democrats assembled at Chicago, the Southern farmers were loud in their cheers for William Jennings Bryan. Only the Southern Populists, who had entered the third party and suffered defeat at the hands of the hated Bourbons, were discontented. When the Populist party endorsed Bryan and nominated Tom Watson for the Vice-Presidency, the Southerners sought to return to the Democratic fold. A few went over to the Republicans permanently; others surrendered their principles and joined the Bourbons; while still others remained in the white men's party but carried on the hopeless fight for the

farmers. By 1898 the Southerners had definitely discarded the Populist party, but the cause of the common man did not disappear so easily from Southern politics.

### 3. THE NEGRO IN POLITICS

The fundamental cause for the failure of Populism in the South was the danger that the Negro might be restored to control. During the campaigns from 1888 to 1898, both Bourbons and Alliancemen used Negro voters; and in North Carolina, where the Populists made a fusion with the Republicans, over 1,000 Negroes held office. The Bourbons had maintained themselves in power by methods that did not exclude violence and corruption, and they lost no opportunity to point out that the Negroes could be controlled in no other way.

The Democratic victory in the Presidential election of 1884 aroused the Republican party to take action on behalf of their disfranchised black partisans. In 1888 the Republicans won a slight majority in the congressional elections; and as soon as Congress met, Henry Cabot Lodge and George F. Hoar, Massachusetts Representative and Senator, respectively, introduced bills to place congressional elections under the supervision of Federal officials. In 1890 Lodge's bill passed the House of Representatives with the Southerners in bitter opposition. In the Senate the Southerners bargained with Western advocates of free silver to gain sufficient strength to defeat the "Force Bill."

The danger of Federal interference in Southern elections led to a search for new methods of disfranchising the Negro. In 1890, Mississippi made a new constitution which prescribed a residence of two years in the State and

one year in the voting district as a requirement for voting. In addition, the constitution required voters to pay a poll tax of two or three dollars eight months before the election. These provisions, bearing equally upon white and black, served effectively to disfranchise the poorer and more migratory members of both races. But in addition, the constitution provided that the voter must be able to read a section of the constitution or be able to give a reasonable interpretation of a clause when read to him. Since the election officials were the judges of either the degree of literary skill or of the reasonableness of the interpretation, large numbers of Negroes were excluded from the polls.

In 1895 South Carolina amended her constitution after the Mississippi model. Illiterates who had paid taxes on \$300 worth of property were admitted to the suffrage. A list of crimes which disqualified voters contained those which were most common among Negroes, such as bigamy, adultery, wife-beating, and larceny.

In 1898 Louisiana changed her constitution by adding residence requirements, literary tests, and poll taxes. Since an honest administration of these provisions would disfranchise many whites, the constitution provided that any person, or the sons or grandsons of any person, who had voted in any State in 1867 could be placed upon a permanent registration roll. In 1900, North Carolina adopted the same devices, and the next year Alabama and Virginia followed their sister States. In 1908 Georgia amended her constitution, and in 1910 the new State of Oklahoma, joining the Union and the Solid South at the same time, drafted a constitution which contained a "grandfather clause" which would have permanently permitted illiterate whites to vote. In 1915 the United



States Supreme Court declared the Oklahoma provisions unconstitutional.

Ostensibly enacted to prevent Negroes from voting, these provisions have effectively disfranchised white voters. The *Atlanta Constitution*, a vigorous opponent of its State's action, declared in 1910 that "this new registration law was deliberately devised to disfranchise the country vote—the farmers of Georgia . . ."; and a severe Southern critic of the Bourbons asserted that "disfranchisement was the work of provincial partisans in the South and it made possible the protracted rule of this class of politicians in the Southern States."

The elaborate provisions for voting in the South assured the dominance of the Democratic party. The futility of casting opposition votes and the foregone conclusion that the Democrats would win the elections led voters to remain at home on election days. In 1920 the 11 ex-Confederate States, with a population of over 25,000,000, cast but 2,609,000 votes for President. Eleven Northern States, with equal electoral votes and almost the same population, cast 8,472,000 votes. But 8.5 per cent of South Carolina's voting population went to the polls, while North Carolina led the South with 44.6 per cent. The average for the South was 21.2 per cent, while the comparable Northern States polled over 60 per cent of the total eligible population. Indiana and Georgia, almost equal in population, polled 74.1 and 10.9 per cent, respectively. In the congressional elections of 1922, the Northern States drew almost one-half the legal voters to the polls, while but one-tenth of the Southerners cast ballots.

The exclusion of Negroes from political activity resulted in further discriminations in social and economic life. By legislation, States and cities prohibited Negroes

from residing in certain districts and deprived them of equal accommodations on common carriers. Since the Negro could not make a political protest, school boards attempted to allot only the taxes paid by Negroes to the support of Negro schools. Without a voice in the government, the Negro received no consideration from legislatures.

The administration of Southern justice bore heavily upon the unprotected Negro. Economic pressure and a lack of educational facilities drove the blacks to commit many petty crimes. White judges, many of them politicians with an unreasoning devotion to "white supremacy," dealt harshly with Negro culprits brought before them on charges of vagrancy and petty larceny. There was long a common belief that the justice meted to the Negro differed from that given to the white man. Although the names of Negroes were included on lists of eligibles for jury duty, such names were never drawn for panels and Negroes were tried before juries of their white "peers." Several times the Supreme Court, notably in the "Scottsboro Case," disallowed convictions of Negroes on the grounds that Negroes were excluded from juries, but no reform resulted from the Court's action.

Although crimes against property were generally tried in the courts, more summary justice was frequently administered in cases of crimes against persons. Since 1900 almost 2,000 Negroes have been lynched in the United States. The proportion of those lynched in the South was not greater than the proportion of Negroes living in the South. Murder accounted for one-third of the lynchings, and rape for about one-fifth.

Although the Negro was excluded from active participation in politics after 1900, he continued to play a pas-

sive role. Demagogic politicians found it possible to obtain popular support by attacks upon the Negroes. "Cotton Tom" Heflin of Alabama, Cole Blease of South Carolina, "The Man" Bilbo and James K. Vardaman in Mississippi, and Jeff Davis in Arkansas based their phenomenal political careers on "cussing the nigger." Moreover, the adherence of the South to prohibition was largely the result of the Negro's presence. The thought of drunken and vicious Negroes terrified the whites, and they consistently voted for "dry" candidates for public offices.

#### 4. GOVERNMENT IN THE SOUTH

The Populist movement resulted not only in Negro disfranchisement but in the complete dominance of the Democratic party in the South. The party, however, was no longer completely subservient to the Bourbons. Vestiges of the farmers' revolt remained, and the rural population could be aroused to support candidates who made the proper appeals. Third parties, or even a second party, made no headway in the South; still the Democratic party witnessed frequent internal struggles between the heirs of the Populists and the allies of the Bourbons. Factions within the Democratic ranks struggled in primary elections for control of the party. Heflin, Vardaman, Blease, Bilbo, and Huey Long represented the "wool hat boys," the "red necks," and the poorer classes of the Southern population, and campaigned for the Democratic nomination against the politicians who represented the merchant-planters, the bankers, and the industrialists.

Unfortunately, few of these representatives of the common man had a social program to offer to their supporters. Their stock in trade was an appeal to race prejudice.

Once in office, the confused demagogues usually voted with the Bourbons. An exception to this rule was the dramatic career of Huey P. Long in Louisiana. Rising to the office of governor, Long ruled his State with an iron hand. His political machine proved highly efficient in procuring funds, and the Governor assumed dictatorial power over the legislature. He sponsored a system of good roads, befriended the public school system and the Louisiana State University, and launched violent attacks upon corporate wealth. Master of the arts of Southern demagogic oratory, Long did not attack the "nigger," but he repealed the poll tax which disfranchised the poorer whites. After a pyrotechnic governorship, Long transferred his talents to the United States Senate, where he soon gained national attention by his violent speeches, rude conduct, and intemperate attacks upon the administration of F. D. Roosevelt. To the alarm of conservatives everywhere, Long advocated a "Share the Wealth" program which gained widespread adherence in a time of national depression. Still retaining his dictatorial power in Louisiana, the "Kingfish" was apparently on the eve of launching himself as a Presidential candidate when in 1935 he was assassinated in the State House in Baton Rouge.

Although the Southern demagogues sponsored few items of social improvement, the States showed some tendency to adopt reforms which had proved valid in other sections. After 1900 the States were more generous in support of schools and made revisions in tax systems. Virginia, the Carolinas, Mississippi, and Arkansas adopted income taxes, and all but Florida and Alabama imposed inheritance taxes.

Public finance in the South failed to keep step with progress in the rest of the Nation. The basis of the tax system of the Southern States was a general property tax which included all lands and tangibles. The tax operated unequally, placing a greater burden upon the poorer members of society and upon farmers and owners of city property. Less tangible property, such as household furnishings, jewelry, and works of art, escaped the eye of the assessor and bore no part of the burden of government. Virginia, Florida, and Louisiana adopted classified property taxes, but the dependence of tax assessors upon declarations by owners opened a broad road for evasion. Poll taxes, designed as a deterrent for voters, brought in little revenue. Tax exemptions for new industries and low rates for those past the "infant" stage cut off a potential source of revenue. Special taxes on automobiles, gasoline, and tobacco brought in supplementary revenue. In a region where bankers and industrialists dominated the legislatures, the law-makers preferred to impose sales taxes rather than to levy on the profits of production. The income tax laws provided for low rates and large exemptions.

After 1929 the impact of the depression brought some of the Southern States to the verge of bankruptcy. Municipalities and counties frequently suspended interest payments on their bonded indebtedness, and all branches of government sought new revenues. Citizens' tax committees, notably in Tennessee, made exhaustive studies of taxation and recommended complete reorganization of the system of fiscal administration and the imposition of increased income and corporation taxes. Other States, forgetting their long-time devotion to prohibition, wel-

came the repeal of the Eighteenth Amendment and hastened to license liquor and beer in order to relieve their treasuries.

Although the South lagged behind the other sections in adopting reform measures in State governments, two innovations in municipal government had their beginnings in Southern cities. Prior to 1900, Galveston, Texas, which was practically bankrupt, was one of the worst-governed communities in the South. In September of that year, a storm and tidal wave brought destruction to a large part of the city. Local real-estate men obtained a legislative enactment by which the governor was authorized to appoint commissioners to manage the city. The idea spread to other Texan cities and to other parts of the country. Under the commission plan of government, commissioners elected by the people took over the active headship of the city's departments. The second reform in municipal government, first tried in Staunton, Virginia, was the "city manager" system, by which the elective council employs a manager to whom is entrusted the administration of the city. Both of these new types of government spread widely over the South.

County government, like that of the States, remained unreformed. The usual type of county government was but little improved over that of the colonial period. In most of the South, county boards, consisting of justices of the peace from the several districts, under the presidency of a county judge, acted as the legislative body of the county. The county court, meeting in quarterly sessions, appointed to offices not filled by election and performed a wide range of quasi-legislative and administrative duties. The court fixed the tax levy, appropriated money for schools and other institutions, authorized pub-

lie improvements, and borrowed money. The county courthouses became the centers of machine politics and models of administrative inefficiency. "As one enters the average courthouse, an atmosphere of affable venality pervades the halls," declared a recent writer. The justices and other county officials received remuneration from the fees collected, and fee-grabbing justices gave rise to a declaration that "J. P." stood for "Judgment for the Plaintiff." Some reforms have been made in county government in recent years. Hamilton and James Counties, Tennessee, consolidated in 1919, and Florida, South Carolina, and Louisiana have made assaults on the fee system.

Other reforms were made in local government. Virginia took over complete control of highways, and North Carolina placed schools under a central system. Legislatures created new courts, especially in urban regions, to remove special types of cases from the justices' courts.

## 5. THE SOUTH IN NATIONAL POLITICS

In national affairs, the Southern politicians consistently adhered to the Democratic party. The "Solid South" was therefore able to play a dominant part in the affairs of the party. The two-thirds rule in the Democratic nominating conventions gave the Southerners a veto on the candidates for the Presidency. In 1880, the first Presidential election after the complete restoration of white supremacy, 14 Southern States, including Maryland, Kentucky, and Missouri, cast their votes for General W. S. Hancock. For the three succeeding elections, the Democrats carried this solid block of States. In 1896, Kentucky gave Bryan but one of her 13 votes, but in 1900 the State was back in the Democratic column.

In 1908 Maryland gave two of her eight votes and Missouri gave all of her 18 to Taft. Oklahoma joined the Solid South in 1912, and the ranks were not again broken until Tennessee, the first of the Confederate States to break away, cast her electoral vote for Harding. In 1928 the combined issues of prohibition and Catholicism caused Virginia, North Carolina, Tennessee, Florida, and Texas, as well as the Border States, to desert the Democracy of Al Smith for Herbert Hoover's conservative Republicanism. In 1932 the Roosevelt tidal wave swept the South once more into the Democratic party.

Although the Democrats effectively prevented the Republican party from obtaining a foothold in the South, Southern Republicans played an important part in the Republican party. In the mountain regions of Virginia, North Carolina, and Tennessee, there were large groups of Republicans who customarily returned Republicans to Congress; but in the rest of the South, the active Republicans were largely limited to those who were willing to sacrifice social standing for the fleshpots of Federal office. Postmasters and other Federal officers formed the nucleus of the proscribed party and went through the futile motions of holding conventions, nominating candidates, and making half-hearted campaigns. In the national party, the South was a "rotten borough" whose delegates to the national conventions could always be counted as loyal supporters of the President who had appointed them to office. In 1908 the Pennsylvania delegates to the Republican convention pointed out that the entire South had cast but 254,461 Republican votes in the preceding Presidential election. Yet in 1908 there were 216 Southern delegates, comprising more than one-fifth of the total membership of the convention. This number equalled



the representation of the normally Republican States of California, Illinois, Indiana, Iowa, Michigan, Maine, and Ohio. Alabama's delegation was equal to that of Massachusetts. In 1912 the Southern delegates forced the nomination of Taft and were largely responsible for the split of the party. In 1916 the Southern delegation was reduced and the new apportionment carried over to the convention of 1920. In 1924, however, the convention raised the number of Southern delegates. Possibly only the fear that the Negroes in the North would desert the party has enabled the Southern Republicans to retain their large delegations.

Since the Democrats were in the minority during the greater part of the period after Reconstruction, Southerners took comparatively little part in the administration of the government. The "Confederate Brigadiers" who came to represent the South in House and Senate in the early days distinguished themselves more for dignity than for brilliance. Occasionally some Northern orator, intent on making political capital by "waving the bloody shirt," would taunt them into deserting their dignity and making intemperate statements. For the most part they sat silent as alien ambassadors in the halls of their victorious enemies. Their votes were cast for Democratic and conservative measures. They opposed Federal appropriations for education and for internal improvements, and adhered strictly to the obsolete doctrines of States' rights.

The few and impotent Southern Republicans came in for but a small share of the national offices. Intent upon making a gesture of reconciliation, President Hayes seriously contemplated making General Joseph E. Johnston his Secretary of War, but the incongruity of placing

Johnston over General Sherman dissuaded the President. Instead, he made General David M. Key, of Tennessee, his Postmaster-General. William H. Hunt, of Louisiana, served for a year as Secretary of the Navy under Garfield and Arthur and was then sent as Minister to Russia. Hayes appointed William B. Woods, of Georgia, to the Supreme Court, but no other major offices were given to Southerners before Cleveland became President. Theodore Roosevelt gave the War Department temporarily to a Southerner, Luke E. Wright, of Tennessee, and Herbert Hoover appointed William N. Doak, of Virginia, as his Secretary of Labor and sent a Kentuckian, Frederick M. Sackett, as Ambassador to Germany. The roster of Southern Republicans in major places was short but was perhaps greater than their political importance.

Cleveland's accession in 1884 gave Southern Democrats an opportunity to exercise their talents in administration. L. Q. C. Lamar, of Mississippi, and A. H. Garland, of Arkansas, became Secretary of the Interior and Attorney-General, respectively, and Southerners represented the United States in Paris, Vienna, and Madrid. During his second administration, 1893-1897, Cleveland appointed Lamar to the Supreme Court and called still other Southerners to serve in the higher offices. John C. Carlisle, of Kentucky, became Secretary of the Treasury, West Virginia's William L. Wilson served for a few months as Postmaster-General, Hilary Herbert, of Alabama, was Secretary of the Navy, and Hoke Smith, of Georgia, headed the Department of the Interior.

Wilson's administration again gave the Southerners an opportunity to lead the Nation. The President, himself a Southerner, appointed Carter Glass of Virginia, David F. Houston of Missouri, J. C. McReynolds of Ten-

nessee, Thomas W. Gregory of Texas, Albert S. Burleson of Texas, Josephus Daniels of North Carolina, John B. Payne of Virginia, and Joshua W. Alexander of Missouri to his Cabinet during the eight years of his administration. In addition, Southerners controlled both houses of Congress.

Thanks to long service on committees, Southerners were chairmen of 31 of the 59 committees of the House of Representatives, while the Senate Committees on Appropriations, Banking and Currency, Education, Finance, Foreign Relations, Judiciary, Naval Affairs, Post Offices, and Rules were under the chairmanship of Southerners. A similar situation prevailed after 1933 when the Democrats were again restored to power.

Five Southerners, John C. Carlisle of Kentucky (1883-1889), Charles F. Crisp of Georgia (1891-1895), Champ Clark of Missouri (1911-1919), John N. Garner of Texas (1932-3), and Joseph E. Byrns of Tennessee (1933-1936), have been Speakers of the House of Representatives. Garner served as Vice-President under Franklin D. Roosevelt. Aside from Wilson, one Southerner, John W. Davis of West Virginia, ran for President on the Democratic ticket in 1924 and Joseph T. Robinson of Arkansas was the unsuccessful candidate for the Vice-Presidency in 1928.

The influence of these Southerners has usually been exerted on the conservative side of legislation. Although professing a devotion to tariff reform, Southerners were largely responsible for the mutilation of the Wilson Bill during Cleveland's administration. Yielding to the pressure of cotton manufacturers, Southern Senators consistently opposed efforts to rid the country of child labor. On the other hand, the Southern devotion to the Demo-

cratic party led Southern congressmen to give consistent if not enthusiastic support to the progressive programs of Wilson and F. D. Roosevelt. Southerners drafted and pushed through the Underwood Tariff, and, under Wilson, the Federal Reserve Act; while Speaker Byrns and Senator Joseph T. Robinson assumed the responsibility of guiding the legislation of the New Deal through the House and the Senate.

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## CHAPTER XXVII

### SOCIETY IN THE NEW SOUTH

#### 1. THE RACE PROBLEM AND THE NEGRO'S PROGRESS

**I**N THE midst of Southern industrial development and the political adjustments resulting from the restoration of Bourbon supremacy, the New South was the scene of extensive social changes. Torn between the tradition of Jefferson Davis and the alluring promises of Henry Grady and possessing problems peculiarly its own, the South developed a society fundamentally different from that of the North and the West. The literature of the South was distinct from that of the other sections; its educational development, while conforming to that of the rest of the Nation, was not quite the same; and in the Negro the South possessed a problem which was not shared by any other portion of the Nation.

Actively and passively, the Negro played a large part in Southern politics after the end of Reconstruction. The presence of the enfranchised Negro gave an excuse to the Bourbons to resort to corruption in order to retain control of State and local governments; the threat of Negro dominance prevented the Populist movement from throwing off the Bourbon yoke; and the very presence of the disfranchised Negro after 1900 gave oratorical ammunition to the Bourbon-allied demagogues who fanned the smoldering embers of race prejudice. In industry, too, the Negro played a passive but potent part

in Southern development. The presence of the black man who might be called into the mill kept the wages of white laborers low and prevented the organization which alone could raise standards of living in the mill villages. Excluded by prejudice from the voting booth and the textile mill, the Negro found opportunity for advancement only in agriculture, in the trades, and in personal and professional services in the cities.

From the close of the Civil War, the proportion of Negroes in the Southern population steadily declined. The Negro population in 1860 was 4,441,930, which had increased until it was 11,891,143 in 1930. In the former year, only a few hundred thousand lived outside the South; but in 1930, 21 per cent, or 2,529,566, lived in the North and West. The total population of the South in 1930 was 39,619,094 as compared with an 1860 population of 12,108,077. In 1860 the Negroes constituted 34.2 per cent of the Southern population; in 1930, they were 23.7 per cent. Part of the relative decline in the Negro population was due to poorer sanitary conditions, greater infant mortality, and the peculiar susceptibility of the Negro to tuberculosis; part was due to an increased migration to the North.

Within the South there was a considerable shift of Negroes from rural to urban regions. Whereas there were few Negroes living in cities in 1860, the urban Negro population in 1930 was nearly 3,000,000. In 1860 the Negroes had been almost exclusively plantation laborers; in 1930 but 4,500,000 Southern Negroes were engaged in agriculture. Almost 80 per cent of the Negro farmers in 1930 were tenants. The average Negro-operated farm was one of 42.6 acres. After 1870 the average farm and the total number of Negro farmers underwent a steady



decrease. At the same time, the value of Negro agricultural holdings decreased.

In the cities the Negroes engaged largely in personal services. They became carpenters, shoemakers, garage mechanics, teamsters, drivers of taxicabs, janitors, and domestics. Professional men—lawyers, ministers, doctors, and dentists—practiced in the Negro districts; and grocers, dairymen, furniture dealers, and theater owners catered to their own people. Restaurants, hotels, and barber and beauty shops were managed by Negroes for the patronage of one or the other race.

Intangible lines of cleavage marked the race line in many of these vocations. White and black laborers worked side by side on even the most menial labor; carpenters, stonemasons, painters, and mechanics worked together. Negro and white women performed many of the same tasks, yet Negro men and white women never worked together. White people patronized restaurants and hotels operated by Negroes but seldom bought from Negro stores and never availed themselves of the services of Negro lawyers or ministers. Negro nurses, but never a Negro physician, might care for white invalids. The dividing lines, incomprehensible to an outsider, were thoroughly understood by Southerners of both races. Wherever the Negro appeared in a subordinate capacity, he was welcome: when he appeared as equal or superior, he was anathema. White men might boss mixed gangs of roadworkers, but Negro foremen could exercise authority only over their own race. Negro nursemaids might accompany their employers in waiting rooms and on Pullmans; but the lone Negro traveler was consigned to the "Jim Crow" cars.

Comparatively few Southern Negroes showed resent-

ment against occupying such subordinate positions. The ever present danger of race riots and lynch laws served to prevent any attempt to force social recognition. To the sensitive, educated, and ambitious Negroes, however, the constant denial of equality was particularly oppressive. Many of them left the South, hoping to find acceptance in places where there was less prejudice against their race. Scholars and educators, however, were largely forced to earn their livelihood in academic circles, and there were few Negro schools outside of the South. Writers and artists were occasionally able to make a place for themselves in white society. Some few Negroes of light skin "passed" into the white race, but these were condemned by the better class of Negroes and lived in constant fear of being discovered.

Two different schools of thought developed among the Negroes as they contemplated the social, political, and economic discriminations to which they were subjected. One group of Negroes clung to the philosophy of Booker T. Washington, who contended that the Negroes should acquire something to recognize before they demanded recognition. This school frankly acknowledged that the Negro was best adapted to living in the South and proposed to adapt the Negro to his surroundings. Working largely through education, the Washington cohorts sought to reconcile differences with the whites, to give Negro youth a vocational education, and to forget political disfranchisement and social ostracism. The other school of opinion held that the Negro had been denied rights, had been crushed by discrimination, and could make progress only when all barriers had been removed. The most outspoken exponent of this view was Dr. William E. Burghart Du Bois, whose novels, historical

studies, journalistic writings, and sociological researches all pointed out the burden of discrimination under which the Negro labored. Southern whites found Washington's philosophy more comfortable than that of Du Bois and supported without hesitancy Washington's Tuskegee Institute and other schools designed to adapt the Negro to a subordinate status.

Despite the continuance of discrimination and race prejudice, the Negro made remarkable progress after Reconstruction. The primary need of the emancipated Negro was for schools, and the New South gave much attention to the problems of Negro education. At the end of Reconstruction, the installation of the economy-loving Bourbons gave rise to the theory that Negro schools should be supported only by taxes paid by Negroes. No State attempted such a solution of the problem, but the theory contributed to the practice of allotting a smaller proportion of the tax money to Negro schools. Negro teachers received less than white teachers and were generally poorer in training and ability. Owing partly to the poor schools, Negroes generally took little interest in education.

In the absence of adequate public support, many of the Negro schools received money from special funds. The John F. Slater Fund of \$1,750,000; the Jeanes Fund of \$1,000,000; the Phelps Stokes Fund of \$900,000; and the Rosenwald Fund furnished money for the conduct of Negro schools, for teacher-training, and for Negro libraries. In addition, the States supported normal schools to train Negro teachers. Negro colleges were generally under control of denominations and seldom deserved the high-sounding names which they boasted. Many of the "colleges" were elementary or high schools

with few college students. Exceptions to the rule were such universities as Fisk in Nashville and Howard in Washington, D. C. By far the best-known schools were Booker T. Washington's Tuskegee in Alabama and the Hampton Agricultural and Industrial Institute in Virginia. Although both of these institutions received State aid, they were primarily supported by private gifts.

Although the Negro colleges failed to measure up to the highest standards of white institutions, the Negro made no inconsiderable contributions to culture. American music was enriched by the voices of Roland Hayes and Paul Robeson, while the Fisk Jubilee Singers popularized the "spirituals." The attempt to accredit "jazz music" to the Afro-American failed, but Negro orchestras did much to spread that American contribution to musical art. The stage gave opportunity to talented blacks, and in 1933 the Pulitzer Prize in drama went to *The Green Pastures*, which had an all-Negro cast. In art, the work of Henry O. Tanner, the painter of Biblical characters, and Meta Vaux Warick, the sculptor, rivalled the best work of whites.

In the field of scholarship, Tuskegee's Dr. George Carver took leading rank as an industrial scientist as he developed 165 different products from the lowly peanut and 107 food products from the yellow yam and extracted dyestuffs from Alabama's red clay. Dr. Daniel Williams performed the first successful operation on the human heart. In history, W. E. B. Du Bois made outstanding contributions and Dr. Carter G. Woodson founded the Association for the Study of Negro Life and History and published the scholarly *Journal of Negro History*.

Negro leaders formed various organizations to encour-

age the development of their race. The National Association of Negro Business Men attempted to assert the Negro's importance in commerce and to act as a chamber of commerce for colored business interests. The National Association for the Advancement of Colored People did conspicuous work in uncovering cases of discrimination and injustice and gave such publicity to the lynching records of the Southern States that it shamed white men into co-operating with the Negroes.

As the Negro made progress, the intelligent classes of the whites began to understand that the Negro was essentially the problem of the South. In recent decades there has been an increasing tendency towards interracial co-operation. Negroes and whites have sat on boards and commissions to consult over their common problems. The Commission on Interracial Co-operation has sponsored many such efforts, while churches, Y. M. C. A.'s, and labor unions, each after its own kind, have worked to promote harmony and sympathetic understanding between the two races in the South.

## 2. EDUCATION

The end of the old system made education necessary for whites as well as blacks. The proponents of a new South advocated an extensive system of education, but the restored Bourbons, intent upon economy, did little to carry out the elaborate educational plans which the Reconstruction governments had formulated. The States were unable to pay the taxes necessary to support the schools, and the necessity of maintaining two separate school systems bore heavily upon the taxpayers. As a result, illiteracy was widespread. In 1890, 30 per

cent of the Southern population could not read or write. After that date, the Southern Populists endorsed education and demanded that the States provide adequate support for public schools. The extent of illiteracy dropped 50 per cent during the succeeding decade.

In 1900 there were 8,000,000 children of school age in the South. Five million of them were enrolled in elementary schools and there was an average daily attendance of 3,000,000. The average school term was between four and five months. The total school budget of the Southern States was a little over \$26,000,000, and the average monthly salary of teachers was \$31.75. The South had over 1,000 public high schools in 1900 with an enrollment of nearly 62,000. Few of these schools maintained any standards. In addition to public schools, there were 780 private secondary schools with an enrollment of over 20,000 pupils. Only Kentucky and West Virginia had compulsory attendance laws, while outside of the South but two States were without such legislation.

Higher education in the South in 1900 made but little better showing than secondary and elementary instruction. Sixty-two private normal schools, few of them essaying instruction above the secondary level, trained teachers for the schools, and each State supported one or more such institutions. Colleges and universities, of varying degrees of merit, numbered 216, including 95 "colleges" exclusively for women. Few of the latter were more than finishing schools. Only 56 of the total were free from some form of denominational control. Altogether, Southern colleges had an attendance of 28,727 students, libraries containing 1,500,000 books, and an annual income from all sources of \$2,500,000.

Beginning about the turn of the century, an educational

renaissance came to the South. In part the new interest in education came from outside sources; in part it was a combination of the New South philosophy and the doctrines of the Farmers' Alliance. The older Bourbons had strenuously objected to Federal aid to education, and from 1882 to 1890 Southern congressmen opposed the Blair Bill, which would have apportioned surplus revenues to the States on the basis of the illiteracy prevalent in each. Many of the Bourbons alleged that this would increase Negro education and would bring in a degree of Federal supervision. In some States, notably Tennessee, the Blair Bill became a burning issue in politics; but despite the support of a few far-sighted leaders, the South rejected the proffered help.

Less opposition met the efforts of philanthropists to improve Southern educational conditions. The first of a number of philanthropists to aid Southern education was George Peabody, a London banker born in Massachusetts. In 1867 Peabody placed \$2,100,000 in the hands of trustees to be used for "the promotion and encouragement of intellectual, moral, or industrial education among the young of the more destitute portion" of the Southern States. Dr. Barnas Sears, president of Brown University, became the general agent of the trustees. Sears travelled over the South, attempting to arouse the people to the need for schools. To the trustees the agent reported in favor of aiding public rather than private schools, of supporting normal schools, and of assisting in forming associations of teachers. Thanks to the activities of the Peabody trustees, a new desire for schools sprang up in the South. With this development, the trustees devoted their funds almost exclusively to teacher-training. The George Peabody College for Teachers

was established at Nashville and was long the leading normal school of the South. In the 30 years between 1867 and 1897, the trustees distributed nearly \$2,000,000 in the Southern States.

Upon the death of Doctor Sears, in 1881, the trustees chose Dr. J. L. M. Curry as general agent. Curry was a native of Alabama, a member of the United States and Confederate Congresses, a Baptist minister, and a professor in the University of Richmond. His rare combination of qualities enabled him to obtain a hearing throughout the South. Until his death in 1903, Curry did more than any other single man to further education "from the Potomac to the Rio Grande."

Before Doctor Curry's death, his work had borne fruit in another organization for promoting Southern education. A small group of men carried on an active campaign to batter the walls of prejudice and special interest which barred educational progress. In 1898 there began a series of annual conferences at Capon Springs, West Virginia, which soon became the Conference for Education in the South. At the early conferences, leadership was assumed by such men as Doctor Curry of the Peabody fund; J. A. Quarles, A. K. Nelson, and Harry St. George Tucker, of Washington and Lee University; Ormand Stone, A. H. Tuttle, and Charles W. Kent of the University of Virginia; Bishops T. U. Dudley of Kentucky, H. E. Rondthaler of North Carolina, and C. K. Nelson of Georgia; and Presidents C. E. Menseve of Shaw University, Edwin A. Alderman of Tulane, and William L. Wilson of Washington and Lee. In 1901, the Conference for Education in the South established the Southern Education Board and authorized it to carry on a campaign of propaganda and to conduct a Bureau



of Information and Advice on Legislation and School Organization. The Board was authorized to receive and disburse funds. The next year the General Education Board was established as a further result of the Capon Springs conferences. The Southern Education Board devoted its efforts to encouraging legislation and taxation for schools, although it also administered funds. John D. Rockefeller and others made large contributions to its work.

The results of such activities were apparent by 1930. By that year every Southern State had adopted compulsory education. By 1930, over 80 per cent of the school population was in public schools, although the percentage in 1900 had been 65. The average number of days in the school year had increased to 155 and the average salary of teachers had more than doubled in a generation. The South had not, however, caught up with the rest of the country. The school year was still 10 per cent under that of the national average, and her teachers received but 58 per cent as much salary as those in the other sections. Illiteracy had declined, but the South's libraries were still inadequate and had but 20 per cent of the circulation of libraries outside the section. Few Southern towns and hardly a Southern county were without high schools in 1930.

In higher education the generation after 1900 was marked by the establishment of new institutions and the growing strength of old ones. In 1930 universities and colleges numbered 171 while there were 36 teachers colleges and 39 technical and professional schools. The teachers college was a new institution, while the private normal school, so prevalent in 1900, had practically disappeared, for the South in 1930 had but eight two-year

normal schools. Another new institution was the junior college, and of these there were 143. Alabama alone had no junior colleges, while Texas led the South with 36. There were 96 institutions for the higher education of Negroes. The total number of students enrolled in Southern colleges and universities (exclusive of junior colleges) was over 155,000.

Not all of the Southern colleges were of the highest standards. The State universities of Virginia, North Carolina, Louisiana, and Texas ranked with the best in the Nation, and some of the private universities, such as Vanderbilt and Duke, ranked high. The physical equipment was poorer than in the North, and the better members of their poorer-paid teaching staffs were frequently drawn off to Northern schools. The example of Vanderbilt and the formation of the Southern Association of Colleges and Secondary Schools did much to raise standards and to give promise that higher education in the South would soon approach the national level.

By the middle of the 1930's there were still serious obstacles to Southern education. Despite industrialization, the South was still poor and there was a continuing objection to high taxes. The inadequate and antiquated tax systems prevented the fullest support of education. The sparsely populated rural regions were still unable to maintain schools within the reach of all, although the motor bus and good roads were diminishing the importance of such factors. More serious was the prevalence of objections to public education on religious grounds. To many, the public schools were godless schools in which the children would be weaned away from the faith of their ancestors. In the early twenties, several States passed laws prohibiting the teaching of

the theory of evolution in schools supported by public money. In 1925 the law was tested and upheld at a highly publicized trial at the little town of Dayton, Tennessee. William Jennings Bryan appeared on behalf of the State to help prosecute a high-school teacher, John Thomas Scopes, for violating the law. The attendant publicity, however, resulted in a reaction, and no other community made efforts to prohibit the teaching of evolution. Less dramatic pressures frequently forced university and college professors to refrain from comment on sociological, political, religious or economic questions. Freedom of speech was frequently prohibited, and some Southern colleges and universities were indicted by the Association of American University Professors for ignoring the profession's standards of tenure and of academic freedom.

### 3. LITERATURE AND THOUGHT IN THE NEW SOUTH

The educational renaissance of the twentieth century had a reflection in an increase of cultural activities throughout the South. In 1920 it seemed to H. L. Mencken that the South was the "Sahara of the Bozart," ruled by yokels and "Babbitts" from whom came no great literature, no art, and no music. The observation was made without perspective, for the New South was far more productive than the old had been. Perhaps a contributing factor of Mencken's error was the confusion which existed in Southern literature and thought. Nowhere was the conflict between the Old and the New South better revealed than in the attempts which Southerners made to describe their surroundings.

The South had never been a land of letters. Southern

writers before the war wrote elaborate defenses of slavery or involved arguments on States' rights. After the war, Southern writing continued in the same vein. For years the only serious writing and much of the fiction produced below the Mason and Dixon Line was devoted to the war. Ex-Confederates wrote accounts of their experiences or dipped their pens to prove again and again that the South was justified in secession and that the lost cause lived on in their hearts. Mary Johnson wrote *The Lost Cause* and *The Long Roll*; John Esten Cooke was obsessed with the Civil War; and Thomas Nelson Page created fictional characters who breathed only a rarefied air of Southern patriotism.

In the years after the educational reawakening, many Southern writers began to turn a realistic eye upon the contemporary scene. Corra Harris wrote compelling descriptions of the drab life in Southern parsonages; T. S. Stribling in a widely read trilogy painted in recognizable colors the degeneration of a once proud family; and other novelists turned to the mill villages, the tenant farmer, the Negro hovels, and the mountain cabins for material. The older tradition continued, however, in *Leopard's Spots* and *The Clansman*, of Thomas Dixon, whose works were the basis for the motion picture *The Birth of a Nation* and the revived orgies of a new Ku Klux Klan. Stark Young, intent upon promoting the cause of agrarianism, returned to the old theme in *So Red the Rose*.

Nonfictional writings revealed the same conflict of interest between those who clung to the aura of the old and those who would attempt a constructive criticism of the New South. Beginning about 1919, a series of studies,

largely centering at the University of North Carolina, investigated conditions in Southern industry, examined the implications of the Southern agricultural system, and described the living conditions among tenants and textile laborers. Claudius Murchinson, Peter Molyneux, Broadus and George S. Mitchell, Charles S. Johnson, Howard Odum, Rupert B. Vance, and many others contributed studies which eventually resulted in plans for the South's part in a nationwide program of regional development. Social scientists in the South met for the joint purposes of discussing the section's natural and human resources and of devising schemes for the control of industry and agriculture for the common benefit. Yet at the same time, a group of "Young Confederates," centering in Vanderbilt University, raised their voices in protest against the invading machine and took their stand for a vigorous return to agriculture and the rural way of life.

In other fields than literature and social thought, Southerners sought to conform to the national pattern. Atlanta supported the Metropolitan Opera for a week each year until the depression following 1929 and excessive taxation made the venture unprofitable. The "Playmakers" at the University of North Carolina and the Little Theater movement in many cities made indigenous contributions to American drama. Carnegie libraries, in hundreds of towns, made books available to the growing number of literate citizens, and travelling libraries carried the products of the literary world to culturally stranded communities. The radio brought news and entertainment to all parts of the South.

The Southerner continued to read newspapers, and in

a day when American journalism was succumbing to chain competition, the Southern press retained much of its independence. Such newspapers as the *Louisville Courier-Journal*, the *Memphis Appeal*, the *Chattanooga News* and *The Times*, the *New Orleans Picayune*, the *Atlanta Constitution*, the *Mobile Register*, and the *Richmond Enquirer* maintained the vigor of a former day. Few of them made excessive profits, and few were liberal, but they did much to present a sane and conservative viewpoint. Few Southern magazines attracted widespread attention, although the *South Atlantic Quarterly*, the *Sewanee Review*, and the *Virginia Quarterly Review* devoted themselves to a consideration of Southern problems and printed some of the best thought in the Nation.

The growing tendency toward self-criticism and the conscious effort to face Southern problems with a new realism contributed to overcome the former cultural backwardness of the South. By the middle of the third decade of the twentieth century, it was evident that the New South was critical of the promised benefits of industrialism, conscious of the need for recapturing part of the cultural inheritance of former days, and determined to mold a society which should be at once distinct from and yet a part of the national life. In culture, spirit, economics, and politics, the South was a land of challenge. Whether it would master the machine, end child labor, improve the condition of Negroes and poor whites, and solve the problems of agriculture; or whether it would continue its inferiority complex, dream of its past glories, and remain under the control of the Bourbons in politics and economics challenged the best thought of Southern leaders. But while the South was a land of challenge, it was also a land of hope. . . .

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